

The Solicitors' Journal

Vol. 105 No. 48 [pp. 995-1014]

DECEMBER 1, 1961

[One shilling and ninepence

THE GUARANTEE SOCIETY LIMITED

in conjunction with
The Yorkshire Insurance Co. Ltd.

The specialist office for:
ADMINISTRATION

and other Court Bonds

INDEMNITIES

for
Lost Documents
Missing Beneficiaries
Restrictive Covenants
Defects in Title to Property
and many other contingencies

Head Office:
**BECKET HOUSE, 36/37 OLD JEWRY,
LONDON, E.C.2**

Tel.: METropolis 6242

BRANCHES IN PRINCIPAL TOWNS

To Solicitors, Executors, Trustees,
and Private Owners wishing to
dispose of Old Gold, Jewellery
and Silver.

We shall be pleased to place
our long experience at your
disposal and to submit offers.

GARRARD & CO. LTD.

Crown Jewellers

formerly

THE GOLDSMITHS &
SILVERSMITHS COMPANY LTD

OUR ONLY ADDRESS

112 Regent Street London W.1

TELEPHONE: REGENT 3021



VALUATIONS

Sales, Letting and Management of
Business and Industrial Properties
throughout the British Isles

HILLIER PARKER MAY & ROWDEN



77 GROSVENOR STREET, LONDON W.1

MAYfair 7666

35 CASTLE STREET, EDINBURGH 2

Caledonian 4310

KNIGHT, FRANK & RUTLEY

Auctioneers
Valuers

Land Agents
Surveyors

20, HANOVER SQUARE, LONDON, W.1

MAYfair 3771 (15 lines)

Hereford Office: 14 BROAD STREET (Telephone 3087/88)

ALSO REPRESENTED IN THE SOUTH OF FRANCE



JACKSON-STOPS & STAFF

Estate Agents, Auctioneers, Surveyors & Valuers

Undertake the

SALE, PURCHASE OR LETTING
OF

TOWN AND COUNTRY HOUSES
ESTATES AND AGRICULTURAL PROPERTIES
SHOPS AND INDUSTRIAL PREMISES
throughout the United Kingdom

AUCTION SALES of ANTIQUE AND MODERN
FURNITURE conducted on the premises

VALUATIONS of FREEHOLD AND LEASEHOLD
PROPERTIES, CHATTELS AND FURNITURE
for all purposes

ESTATES MANAGED AND RENTS COLLECTED
TENANT RIGHT AND ANNUAL FARM STOCK VALUATIONS

SALES AND VALUATIONS of
WOODLANDS AND STANDING TIMBER
(and advice on re-afforestation)

LONDON OFFICE:
14 CURZON STREET, W.1 (GRO. 6291)
AND AT NORTHAMPTON · CIRENCESTER · YEOVIL · YORK
CHESTER · CHICHESTER · NEWMARKET · DUBLIN

REVERSIONS LIFE INTERESTS

THE REVERSIONARY INTEREST SOCIETY
LTD.

Established 1823

Registered 1880

THE EQUITABLE REVERSIONARY
INTEREST SOCIETY LTD.

Established 1835

Registered 1879

THE SOCIETIES ARE UNDER THE SAME CONTROL
AND MANAGEMENT

TOTAL FUNDS INVESTED IN THE PURCHASE OF
REVERSIONS AND LIFE INTERESTS, OR IN LOANS
UPON THEM £2,000,000

THE LAW CHARGES ON LOANS ARE REGULATED
BY SCALE

For proposal forms and full particulars apply to
W. P. GOODCHILD, F.I.A. ACTUARY AND SECRETARY
19 COLEMAN STREET, LONDON, E.C.2

THE

SOLICITORS' JOURNAL



VOLUME 105
NUMBER 48

CURRENT TOPICS

The Supply of Judges

THE House of Lords used part of the Committee stage of the Criminal Justice Administration Bill to debate the questions of promoting county court judges to the High Court and of increasing the judicial appointments for which solicitors are eligible. This we summarise at p. 1012. Since 1945 only five county court judges have been appointed to the High Court and only one during the last eleven years. While we agree with LORD DENNING that there should be no regular ladder of promotion we do not think that any serious harm would be done by increasing the expectation of promotion which a county court judge has, and we are pleased to see that the LORD CHANCELLOR has undertaken without reservation that he will consider county court judges when he recommends future appointments in the High Court. To make solicitors eligible for the High Court would in effect mean fusion, of which only LORD MESTON was in favour. It would be absurd to appoint as a judge one who had had no right of audience as an advocate. While many solicitors have most of the qualities which go to make a good judge, a barrister, as Lord Denning stressed, is a specialist in the trial of cases. He is trained for twenty, twenty-five or thirty years to go through the facts, to sum up the evidence and to put the case to the jury or the judge and the result is that, as we are repeatedly told by Americans and others, the reputation of our judges stands very high indeed. It is thus a question of experience rather than of intellect or character. On this basis solicitors ought to be eligible to be county court judges, as they are to be stipendiary magistrates. We realise that there are bound to be inconsistencies having regard to the haphazard way in which our legal system has developed. The really satisfactory feature of the debate was that everyone, the Lord Chancellor as well as the Opposition and the Law Lords, agreed that the answer is to have closer relations between the two branches. Unhappily progress is being held up by some mysterious inert mass, although the PRESIDENT OF THE LAW SOCIETY, in his address to the London Regional Conference on Monday, again commended a joint legal education for barristers and solicitors and hoped that the result of talks between The Law Society and the Bar would not be long delayed. Whether this comment is an indication of the stirrings of overdue action, or merely another pious wish, remains to be seen.

Revaluation

THE Ministry of Housing and Local Government expect to have a fairly accurate indication by the beginning of 1962 of changes in the relative proportions of the total rate burden

CONTENTS

CURRENT TOPICS :

The Supply of Judges—Revaluation—Amendment to Rent Restrictions Regulations—Possessor the "Owner"—Defective Machinery : Burden of Proof—Factory "Jokers"

THE DUTY TO FENCE DANGEROUS MACHINERY ... 997

THE SMALL ESTATES (REPRESENTATION) ACT, 1961 ... 998

OVERSEA INFLUENCE OF ENGLISH LAW :

Malta—I ... 999

PROTECTIVE TRUSTS AND ADVANCEMENT ... 1001

LANDLORD AND TENANT NOTEBOOK:

"For the Term of One Year" ... 1002

HERE AND THERE ... 1004

CORRESPONDENCE ... 1005

REVIEWS ... 1006

NOTES OF CASES :

Annis v. District Auditor for St. Pancras Borough Council (Local Government : Surcharge by District Auditor : Relief) ... 1010

Australian Mutual Provident Society v. Inland Revenue Commissioners (Taxation of Profits of Life Assurance Company) ... 1007

Clutterbuck v. Clutterbuck and Reynolds (Divorce : No Answer to Queen's Proctor's Plea) ... 1012

Colverd (A. F.) & Co., Ltd. v. Anglo-Overseas Transport Co., Ltd. (Contract : Exemption Clause : Negligent Act of Servant) ... 1010

Darby v. Darby (Divorce : Petitioner's Failure to Disclose Adultery) ... 1011

Greer v. Greer (Divorce : Incurable Unsoundness of Mind) ... 1011

Knowles v. Knowles (Divorce : Maintenance : Paternity) ... 1011

Landaas v. Werner (Professional Negligence of Psychiatrist) ... 1008

Mash & Murrell, Ltd. v. Joseph I. Emmanuel, Ltd. (Sale of Goods : c.s.f. Contract : Fitness for Purpose) ... 1007

Pentony v. Air Ministry (Practice : Judgment Obtained on Case Not Pledged) ... 1007

R. v. Forest Justices ; ex parte Dallaire (Landlord and Tenant : Signature of Notice of Intended Application for Ejectment Warrant) ... 1010

Rainsbury v. Bass (Landlord and Tenant : Business Premises : Validity of Notice to Quit) ... 1009

Rennell v. Inland Revenue Commissioners (Leave to Appeal to Lords : Imposition of Conditions) ... 1008

Studleygrange Property Co., Ltd. v. Vare (Landlord and Tenant : Covenant Not to Keep Animal) ... 1009

Turner v. Waterman (Occupiers' Liability : Latent Defect Unknown to Landlord) ... 1011

IN WESTMINSTER AND WHITEHALL ... 1012

borne by houses, industry, shops, offices and other property. The relationship between these sources of rate revenue will change completely with the present revaluation, which, for the first time since 1934, assesses all property at current rental values. The new valuation lists resulting from it will come into force on 1st April, 1963. At present houses are assessed on 1939 rental values; shops and offices pay on 80 per cent. of 1956 values; and industry and freight-transport pay on 50 per cent. of 1956 values. After the 1963 revaluation, which assesses all rateable property in England and Wales at current values, industry, shops and offices will pay full rates. But in case the burden on householders becomes too heavy because the basis of their valuation has been advanced by twenty-four years in one step, the Minister has taken powers in the Rating and Valuation Act, 1961, to derate dwellings for the five years 1963-1968. Circular No. 49/61 (H.M.S.O., 1s. 3d.), dated 20th November, informed local authorities in England and Wales that when the extent of the changes in the proportions of rate burden borne by the various types of property is known, a decision will be taken whether to derate dwellings. The circular says that the aim would be to present to Parliament in the spring of 1962 any orders to vary the scales of deduction and to derate domestic property. It draws local authorities' attention to the Rating and Valuation Act, 1961, which provides for the rerating of industrial and freight-transport hereditaments, the derating of houses for the currency of the 1963 valuation lists, the rationalisation of rate relief for charities and kindred bodies, the valuation of hereditaments occupied by statutory water undertakings, and other measures. None of these provisions will have any effect on assessments or rates until the new valuation lists come into force in 1963.

Amendment to Rent Restrictions Regulations

THE Housing Act, 1961, which came into force last Friday, alters the permitted rent increase under a tenancy controlled by the Rent Acts from 8 per cent. to 12½ per cent. of the amount spent by the landlord on improvements. The Rent Restrictions (Amendment) Regulations, 1961 (S.I. 1961 No. 2239), also operative on 24th November, make the consequential amendments to the forms of notice (and the notes thereto) which have to be served on the tenant by the landlord in order to increase the rent. They also bring up to date statutory references in the notes to other forms prescribed for use under the Rent Act, 1957.

Possessor the "Owner"

As a general rule, where a hire-purchase agreement is entered into in respect of a motor vehicle or other goods, ownership is vested in the finance company and the prospective purchaser has mere possession. In the words of LORD GODDARD, C.J., in *Polksky v. S. and A. Services, Ltd.* [1951] 1 All E.R. 185, the car "becomes the property of the company which lets it out on hire-purchase terms to the purchaser and it follows that the car remains the property of the finance company until the full purchase price is paid." However, in *R. v. Tolhurst and Woodhead* (1961), *The Guardian*, 21st November, the Court of Criminal Appeal held that a person who takes and drives away a motor vehicle which is on hire purchase with the consent of the hirer but without the consent or authority of the finance company does not commit an offence under s. 217 of the Road Traffic Act,

1960. Their lordships reached this conclusion because, for the purposes of that Act, "owner," in relation to a vehicle which is the subject of a hire-purchase agreement, means the person in possession of the vehicle under that agreement (*ibid.*, s. 257 (1)). In the light of this definition, the appellants had not taken and driven away a motor vehicle without having the consent of the owner, who, in this context, was the hirer of the vehicle.

Defective Machinery: Burden of Proof

IN *Davie v. New Merton Board Mills, Ltd.* [1959] A.C. 604, the House of Lords decided that an employer is not liable for the negligence of the manufacturer of an article which he has bought, provided that he has been careful to deal with a seller of repute and has made any inspection which would be made by a reasonable employer. The Court of Session has now affirmed that, where a workman is injured as a result of a defect in machinery supplied by a manufacturer to the workman's employer, it is not for the employer to prove that he had purchased the machine from a reputable manufacturer but for the workman to prove otherwise: *Neill (or McMillan) v. B.P. Refinery (Grangemouth), Ltd.* (1961), *The Guardian*, 30th October. In the words of LORD PATRICK, "it is for a pursuer to prove that the manufacturers, from whom his employers have obtained a tool with a latent defect, were not reputable manufacturers, but were people upon whose care and skill it was not reasonable to rely." To have held otherwise would have been to affirm that an employee bringing an action for damages for personal injury need do no more than prove that he had been injured by a tool or machine supplied by his employers which was dangerous by reason of a defect, even though that defect was latent to them. In the light of the speeches in the House of Lords in *Davie v. New Merton Board Mills, Ltd.*, *supra*, such a proposition is untenable.

Factory "Jokers"

It seems that employees at a factory in Yorkshire are being subjected to practical "jokes" and it is said that a chargehand found his cup of tea full of rivets, a fitter was a target for rivets "fired" across the shop floor and a stud-fixer found a lighted cigarette in his pocket. The foreman has warned those concerned that the "joking" must cease or they will lose their jobs and there can be no doubt that he was wise to take such a firm stand. At common law an employer is under a duty to take reasonable care for the safety of his servants and this includes the duty to provide a competent staff of men (*Wilsons and Clyde Coal Co. v. English* [1938] A.C. 57). *Hudson v. Ridge Manufacturing Co., Ltd.* [1957] 2 Q.B. 348, is an example of a case where an employee recovered damages from his employers for breach of this duty. For some four years one of the defendants' employees persisted in tripping up his fellow employees, including the plaintiff. The plaintiff was injured as a result of this skylarking and his action for damages succeeded because the defendants had failed to take effective measures to put an end to the skylarking and, if it happened again, to remove the source of it. However, an employer is not liable in respect of injury resulting from an isolated practical "joke," as in such a case there is no negligence on his part: *Smith v. Crossley Brothers, Ltd.* (1951), 95 Sol. J. 655.

"The best all-rounder"

Some points on investment in
building societies, from an article
in 'The Spectator' 14-4-61.

"Building society investment certainly owes much of its wide popularity to its characteristic virtues of simplicity, satisfactory yield and security."

"A straightforward application... opens the account; no stamp duty, brokerage or commission payments eat into the available sum, so that the whole can start earning interest at once."

"There is no question that 1961 finds the building society investor one of the most jealously protected members of the investing public... His capital will be returned to him pound for pound,

economic climate and outside influence notwithstanding."

"It is quite the most outstanding attraction of the building society investment that it carries the double assurance of attractive yield and immediate realisability without capital loss."

"**There is a place in every investor's portfolio for a solid building society holding...** The confidence of four and a half million investors who have entrusted more than £3,000 million to building societies endorses this view."

Advise your clients to invest with a society in membership of The Building Societies Association. For a list of member societies and booklet on saving and borrowing please write to:

THE SECRETARY, (Dept. SJ9) THE BUILDING SOCIETIES ASSOCIATION, 14 PARK STREET, LONDON, W.1



CANCER MUST LOSE THE DAY!

To this vital end

THE MARIE CURIE MEMORIAL FOUNDATION
devotes all its energies and resources

THE FOUNDATION—this country's only comprehensive cancer organisation—**PROVIDES**

- ▶ HOMES FOR CANCER PATIENTS
- ▶ NATION-WIDE WELFARE SERVICE
- ▶ CANCER EDUCATION
- ▶ CANCER RESEARCH

Please do not forget this important voluntary work when your clients are considering their wills.

Forms of Bequest and further information from:—

The Secretary, S/LDR. T. BERNARD ROBINSON, F.C.C.S.
THE MARIE CURIE MEMORIAL FOUNDATION, 124 SLOANE STREET, LONDON, S.W.1 (SLOane 1095)

PATRON: H.M. QUEEN ELIZABETH THE QUEEN MOTHER

THE DUTY TO FENCE DANGEROUS MACHINERY

THE Factories Act, 1937, contains detailed and stringent provisions intended to ensure that workmen in factories are not injured by the machinery with which they have to work. The various sections of the Act, supplemented by the numerous and lengthy regulations made under the Act, impose an absolute obligation on the occupiers of factories. In the words of Salmon, J., in *Dunn v. Bird's Eye Foods, Ltd.* [1959] 2 Q.B. 265, at p. 274 :—

"The policy of the Legislature seems to be to impose an absolute obligation upon the occupiers of factory premises so to arrange their affairs that accidents of this kind [i.e., accidents arising from a failure to fence machinery] shall not occur however careless their servants may be."

Few would disagree with this legislative policy, and it is for that reason disappointing to discover that the House of Lords has now finally—and it appears irrevocably—decided that there is a hole in the statutory scheme of protection.

Sections 12 to 14 of the Act require that certain machinery "shall be securely fenced." Section 12 deals with prime movers, s. 13 with transmission machinery and s. 14 with "every dangerous part of any machinery." It is upon the proper interpretation to be given to s. 14 that the difficulty has arisen. Clearly, some machinery is obviously and inherently dangerous, and s. 14 will apply without any straining of the language of the section. There are, however, types of machinery which are dangerous for reasons not apparent at first sight. Thus in 1896 the courts were called upon to consider the case of certain looms in a cotton factory. A shuttle had flown out and struck and injured a weaver. The Divisional Court held that the shuttle was capable of being a dangerous part of the machinery. If the shuttles were likely to fly out in that way sufficiently frequently to become a reasonably foreseeable cause of injury they were "a dangerous part of the machinery." The case was *Hindle v. Birtwistle* [1897] 1 Q.B. 192, and in the course of his judgment Wills, J., said :—

"It seems to me that machinery or parts of machinery is and are dangerous if in the ordinary course of human affairs danger may be reasonably anticipated from the use of them without protection."

The question which arises is whether machinery which is dangerous in this rather special sense is required to be securely fenced by s. 14. In many cases both kinds of danger are present and the occupier has to decide whether the fence he provides is intended to keep the machine and its product in or to keep the operator out. Clearly a particular fence may be suitable for the one purpose but not for the other.

Problem section

No difficulty appears to have arisen until in 1937 the present Factories Act was passed. The requirement to fence dangerous machinery became s. 14 and there was added a proviso intended to clarify the position in relation to certain types of machinery which could not be used at all if they had to be fenced by a fixed guard. Section 14 (1) is as follows :—

"14.—(1) Every dangerous part of any machinery, other than prime movers and transmission machinery, shall be securely fenced unless it is in such a position or of such construction as to be as safe to every person employed or working on the premises as it would be if securely fenced :

Provided that, in so far as the safety of a dangerous part of any machinery cannot by reason of the nature of the operation be secured by means of a fixed guard, the requirements of this subsection shall be deemed to have been complied with if a device is provided which automatically prevents the operator from coming into contact with that part."

In *Close v. Steel Company of Wales, Ltd.* [1961] 3 W.L.R. 319; p. 586, *ante*, the House of Lords dealt with this problem. The appellant had been operating an electric drill when the bit shattered and he was struck and injured in the left eye by one or more pieces which flew out. In an action against the respondents he alleged, *inter alia*, a breach of s. 14 (1). Both the Court of Appeal and the House of Lords held that the risk of grave injury resulting from the shattering of a bit was not reasonably foreseeable, and therefore the bit was not "a dangerous part of . . . machinery" and was not within the scope of the statutory duty. This decision followed the application of the test in *Hindle v. Birtwistle* and was really sufficient to dispose of the case, but both courts went on to consider whether there was in any event a duty under s. 14 (1) to provide a fence to prevent parts of the machine flying out and causing injury.

The argument in favour of interpreting s. 14 (1) so as to impose such a duty may be developed on these lines. A machine is dangerous if in the ordinary course of its working it is likely to throw out broken parts to the peril of those working near to it. In the words of Sir Charles Doughty, "An animal which throws dangerous things at one is just as dangerous as an animal which bites one." The judges in dealing with this situation have fairly consistently taken the same view. They did so in *Harrison v. Metropolitan Plywood Co., Ltd.* [1946] K.B. 255, and *Dickson v. Flack* [1953] 2 Q.B. 464, where they had to consider a spindle-moulding machine. The machine revolved at a high speed and contained sharp cutters which often broke off and flew out, causing injury. Similarly, in *Rutherford v. R. E. Glanville & Sons (Bovey Tracey), Ltd.* [1958] 1 W.L.R. 415, a carbondum wheel which revolved at 4,000 revolutions a minute was apt to disintegrate because of that speed, and when it did so the pieces flew about and could easily cause serious injury. Quite clearly this was dangerous machinery. Now if such machinery is dangerous what should the occupier do to see that it is securely fenced? Surely if the danger lies in the likelihood of flying pieces the fence must be of a character to guard against that likelihood. In short, the machine must be "so fenced as to give security from such dangers as may be reasonably expected," as Lord du Parcq said when dealing with a case under s. 13.

Lordly doubts

Unfortunately, two decisions of the House of Lords raised doubts as to the correctness of this view. The first was *Nicholls v. F. Austin (Leyton), Ltd.* [1946] A.C. 493. In that case a girl was feeding wood into a circular saw when a piece of the wood broke off and flew out, injuring her hand. The saw was guarded in such a way as to prevent her putting her fingers in but this guard did not prevent pieces of the material being thrown out. It was held that there was no breach of duty in this respect, although the precise basis of the decision was subject to some doubt. Strictly, it appeared to be a decision that the words "any dangerous part of any machinery" did not cover pieces of the material being worked upon. The section requires machinery to be fenced, not the material it works on. In *Nicholls*' case, however, Lord Simonds said: "The fence is intended to keep the worker out, not to keep the machine or its product in."

The second decision was *Carroll v. Andrew Barclay & Sons, Ltd.* [1948] A.C. 477. This was a case on s. 13, which requires transmission machinery to be securely fenced. A balata driving belt had broken and lashed out, injuring a workman.

There was fencing provided which was adequate to prevent the workman coming into contact with the machine but the fencing was not adequate to prevent the rather unlikely accident which had in fact happened. The House of Lords held that the machinery was "securely fenced" as required by s. 13. The decision might thus have been used merely to illustrate that there is no duty under these sections to guard against dangers which cannot reasonably be foreseen. Lord du Parcq said :—

"If machines exist, or are hereafter invented and used, which are dangerous because fragments or loose parts of the machinery are sometimes ejected from them, then I am not prepared to say that s. 14 does not require such machines to be fenced for the purpose of protecting workmen against that danger. If the dictum of my noble and learned friend Lord Simonds in *Nicholls v. F. Austin (Leyton), Ltd.* is to be understood as meaning that such a machine need not be fenced, I respectfully doubt its accuracy, and must reserve my opinion upon it."

Lord Normand said :—

"If a machine may be expected to throw off detachable or broken parts in working, these parts may fall to be treated as dangerous and subject to the requirements of secure fencing."

This analysis was persuasive enough to enable the Court of Appeal in *Dickson v. Flack* [1953] 2 Q.B. 464, *Newnham v. Tagart Morgan & Coles, Ltd.* (1956), *The Times*, 20th July (C.A.), and *Rutherford v. R. E. Glanville & Sons (Bovey*

Tracey), Ltd. [1958] 1 W.L.R. 415, to take the view that s. 14 (1) imposed a duty to fence securely against such dangers as might be anticipated from the machinery itself. Unfortunately in the *Close* case the House of Lords was unable to take this view and considered itself bound by the decisions in the *Nicholls* case and the *Carroll* case (discussed above) to hold that the duty imposed upon an employer by s. 14 (1) to fence every dangerous part of a machine was confined to the prevention of a workman coming into contact with moving parts of the machine and did not comprehend the duty to protect a workman from injury caused by ejected or flying pieces of the machine itself or of the material on which the machine was working.

The decision leaves the law in an unsatisfactory state and it is hoped that legislation will be introduced to complete the statutory protection sought to be given to workmen by the Factories Act. Perhaps at the same time some of the other difficulties which have arisen on the proper interpretation of s. 14 (1) might be resolved. For example, we know that the machinery contemplated by s. 14 (1) must be machinery used as a productive agent in the processes of the factory (per Lord Asquith of Bishopstone in *Parvin v. Morton Machine Co., Ltd.* [1952] A.C. 515) but when is machinery being used in the productive processes of the factory? The answer may appear when the House of Lords has considered the case of *Quintas v. National Smelting Co., Ltd.* [1961] 1 W.L.R. 401; p. 152, ante (C.A.).

D. C. H.

THE SMALL ESTATES (REPRESENTATION) ACT, 1961

OBTAINING grants of representation for small estates can involve the expenditure of a considerable amount of time upon explanations, in addition to the completion of the requisite forms, for an uneconomic return by way of fees. There is, therefore, no reason why solicitors should not have welcomed the passing of the Small Estates (Representation) Act, 1961, on 19th July, and its being brought into operation on 1st January, 1962, by the Small Estates (Representation) Act (Commencement) Order, 1961 (S.I. 1961 No. 2147).

Before the taking effect of the new limits it was possible to apply for a grant of representation to be made in England and Wales to an officer of Customs and Excise where the gross estate did not exceed £500. Section 1 (1) of the 1961 Act raises this limit to one stipulating that the value of the net estate is less than £1,000 and that of the gross estate is less than £3,000. For this purpose "gross estate" means the aggregate of the property real and personal in respect of which estate duty would be payable if estates of under £3,000 gross were liable to estate duty. (The Finance Act, 1954, s. 32, exempted an estate of less than £3,000 gross from estate duty.) For the purpose of calculating the amount of gross estate in this context, property settled otherwise than by the will of the deceased is excluded. So far as "net estate" is concerned, this is related to the value of the net real and personal estate passing under the grant of representation (s. 1 (2)).

Reasons for new limits

The reasons for choosing the new limits were explained in Standing Committee C of the House of Commons during the passage of the Bill, on 29th March, 1961. The £500 gross value had been stipulated in 1894, and such a sum was a very much larger one than £1,000 net in 1961. This limit concerning net value was fixed with an eye on avoiding the necessity of

increasing the staff of Customs and Excise officers who will deal with the increased number of applications anticipated. The gross value limit was justified by two reasons. First, if an estate was of a net value of less than £1,000 but of a gross value of £3,000 or over, it was assumed that it would be fairly heavily encumbered, which might cause legal complications. In such a case a probate registry would be better than a customs and excise office to oversee the necessary formalities. The second point was that already mentioned in parenthesis, namely, that the complications of estate duty assessment do not arise on an estate within this limit.

Customs offices

In England and Wales, in addition to the Principal Probate Registry in London, there are twenty-six widely distributed district probate registries and seven sub-registries where an officer from one of the district registries attends to receive personal applications for grants (for complete list see p. 17 of "The Law List," 1961).

There are no less than 273 offices of H.M. Customs and Excise approved for the receipt of applications for grants of representation in small estates in England and Wales. The offices are situated in places not having probate registries, and are spread out over the country, the counties having the most being Kent with twenty-four, York, twenty-one, Lancaster, seventeen, Surrey, fifteen, Stafford, thirteen, Middlesex, twelve, Essex, eleven, and Devon, Hampshire and Somerset, ten each.

Before the passing of the 1961 Act, approximately 20,000 applications for grants a year were received by customs and excise offices. It has been estimated that the effect of the 1961 Act will be to cause some 14,000 additional cases to go to

**LEOPOLD
FARMER & SONS**
FOR
VALUATIONS and AUCTION SALES
**PLANT, MACHINERY AND
INDUSTRIAL PROPERTIES**
FACTORY INVESTMENTS **MORTGAGES ARRANGED**
Telephones: MONArch 3422 (8 lines) **46 GRESHAM STREET, LONDON, E.C.2** Telegrams: SITES, LONDON
FACTORY SPECIALISTS FOR OVER EIGHTY YEARS

Jordan & Sons Limited
offer
to the
Solicitor

a complete and comprehensive service in all matters relating to

**COMPANY FORMATION
PRACTICE and PROCEDURE**

JORDANS have experienced Investigators at all Registries and Public Departments. Reports furnished and Copies of Documents obtained.

Catalogues of Company and Legal Forms and Documents, Registers and Publications

will be sent on request to

JORDAN & SONS LIMITED
Company Registration Agents, Printers and Publishers
116 CHANCERY LANE, LONDON, W.C.2

A SPECIALIST SERVICE
for
ADMINISTRATION
and all other Legal and Government
BONDS
and
INDEMNITY POLICIES

The qualified staff of the Association will help to solve your difficulties

**THE
NATIONAL GUARANTEE
AND SURETYSHIP ASSOCIATION LIMITED**
ESTABLISHED 1863

LONDON OFFICE :
1 Moorgate,
London, E.C.2
MONARCH 6644

HEAD OFFICE :
17 Charlotte Square,
Edinburgh, 2
CALEDONIAN 4061-2-3

BRANCHES IN ALL PRINCIPAL TOWNS AND CITIES
IN GREAT BRITAIN, NORTHERN IRELAND AND EIRE

EDWARD ERDMAN & CO.
AUCTIONEERS, VALUERS, SURVEYORS AND ESTATE AGENTS

*Valuations and Surveys for Probate and all purposes
Estates managed - Rents collected
Compensation claims under Town and Country Planning Act
Rating Appeals - Dilapidation Claims
Preparation of plans - Supervision of Building work
Advice on Investments of Trust Funds*

OFFICES:
6, GROSVENOR STREET, LONDON, W.1
MAYFAIR 8191

**"Active in Peace...
...As in War"**
Please
Help
The
**British Red
Cross Society**
By Legacy
Or Donation



Write for folder describing Peacetime Activities

National Headquarters
14 GROSVENOR CRESCENT, S.W.1
Telephone: BELgravia 5454

To help



a blind person cross the road. Which of us would not pause to do this kindness? The R.N.I.B. is ceaselessly at work helping the blind with training and friendship to cross the many roads of life and face its darkness with high courage.

Please help this work by commanding the R.N.I.B. when you advise clients on the preparation of their wills.

RNIB the helping hand
for all Britain's blind

THE ROYAL NATIONAL INSTITUTE FOR THE BLIND, 224 OT. PORTLAND STREET, LONDON, W.1
(Registered in accordance with the National Assistance Act, 1948)

YOU CAN HEAR every word of this appeal . . .
YOU CAN SPEAK and enjoy life to the full . . .



BUT JUST THINK OF
THOSE WHO CAN
DO NEITHER!

Think of their
loneliness —
Think of their
emptiness!
We need your help and we
need it NOW!

The ROYAL ASSOCIATION in
aid of the DEAF AND DUMB
exists for the promotion of
Spiritual, Social and General
Welfare of the Deaf and Dumb.
We can only provide this help if
you will help us to bring some
happiness into the lives of those
so handicapped. There are 6,500
Deaf and Dumb persons in the
care of R.A.D.D. and some 200
are blind in addition. Our task
requires boundless patience, tact
and sympathy—but above all this
work merits the generosity of those
who enjoy the blessings of hearing,
sight and speech.
Give visible thanks for your
Blessings with a generous
Donation.

LEGACIES
are vital lifelines that help us
care for 6500 Deaf and Dumb.
Forms of Bequest gratefully
supplied.

THE ROYAL ASSOCIATION
IN AID OF THE DEAF AND DUMB

7-11 Armstrong Road, Acton, W.3.
(Registered in accordance with the National Assistance Act 1948)
Patron: H.M. The Queen

Providing for Estate Duty through **EDITH**

'EDITH' purchases and holds minority shareholdings in private companies and small public companies—where shareholders have to make provision for Estate Duty and do not wish to lose control

The booklet 'Providing for Estate Duty' will be sent on request

ESTATE DUTIES INVESTMENT TRUST LIMITED

7 Drapers' Gardens, London EC2
National 0231

Secretaries and Managers
Industrial & Commercial Finance
Corporation Limited
7 Drapers' Gardens, London EC2
and branches

customs offices rather than to probate registries in England and Wales.

Application of the Act

In addition to covering England and Wales, the Act extends to Scotland, for which particular provisions are made (s. 1 (1) (b), (3), Sched. I). The Act does not apply to Northern Ireland, although the Parliament of Northern Ireland is specifically empowered to enact a parallel statute (s. 3 (5)).

The Act does not apply to an estate in respect of which the death occurred before 10th April, 1946 (s. 3 (3)).

Consequential amendments are made to the Customs and Inland Revenue Act, 1881, s. 33 (1), (2), and the Supreme Court of Judicature (Consolidation) Act, 1925, s. 169 (2), as well as to various statutes applicable to Scotland (s. 2 and Sched. I). Minor repeals are made to parts of sections in the 1881 Act (ss. 33 and 34), the Finance Act, 1894 (ss. 16 and 23), and the Finance (1909-10) Act, 1910 (s. 61)—s. 3 (4) of and Sched. II to the 1961 Act.

Probate fees

Hitherto a flat rate charge of 15s. has been made in respect of an application for a grant of representation for an estate not in excess of £500 gross, made to an officer of customs and excise. Section 2 of the 1961 Act provides for the replacement of this fixed fee.

A sliding scale has been substituted for the fixed fee by the Supreme Court (Non-Contentious Probate) Fees Order, 1961 (S.I. 1961 No. 2186), made on 14th November and coming into operation on 1st January, 1962. This amends the Supreme Court (Non-Contentious Probate) Fees Order, 1958 (S.I. 1958 No. 161). In general, the effect of the amendments is, in the case of an application for a grant of probate or letters of administration by a personal applicant, or for resealing such a grant if the application is prepared in the principal or a district registry, to introduce a fee (payable in addition to any other fee, subject to certain exceptions) of £1 10s. where the value of the net real and personal estate is stated to be of or over £500 and under £1,000, and a fee of £2 10s. where the value is of or over £1,000 and under £2,000. Where the value is of or over £2,000 but under £3,000, a fee of £3 is to be payable. The present fee of 15s. is retained for a grant where the estate does not exceed £500 where the death occurred before 10th April, 1946.

The fee of 15s. stipulated in S.I. 1958 No. 161, fee no. 1 (generally payable upon application for a grant of probate or letters of administration with or without the will annexed, and not applicable only to personal applications), is to be omitted, the minimum sum payable under fee no. 1 henceforth being £1 (for an estate under the value of £1,000).

N. D. V.

Oversea Influence of English Law MALTA—I

By Professor J. M. GANADO, B.A., Ph.D. (Lond.), LL.D., of the University of Malta.

As regards legal development, Malta is in a unique position among the nations forming part of the British Commonwealth of Nations. Prior to the nineteenth century, it was always closely connected with Southern European countries whose laws and traditions exercised considerable influence on Maltese laws and customs. There is no doubt that the *Corpus Juris* of the Emperor Justinian enacted in 529-534 A.D. was applicable to Malta, since Malta then formed part of the Roman Empire and the Maltese people were Roman citizens. Roman law then had been operative in the island already for several centuries but the precise period in which it was originally introduced is unknown.

The Roman domination lasted until the late sixth century A.D., when Malta was taken over by the Goths and a confused period of invasions followed. Then came a long Arab occupation (870-1090 A.D.), which was terminated by the Norman invasion. Three centuries of feudalism followed, during which Malta was ruled by feudal overlords. In this period, it is quite clear that feudal law as applied in Spain, Naples and Sicily was operative in Malta and that the private law system belonged to the Roman tradition.

In 1530, with the advent of the Knights of St. John of Jerusalem, to whom Malta was given on feudal tenure by Charles V of Spain, a new era commenced. At the beginning of this domination, the laws in operation seem to have been the following: (a) Sicilian and Neapolitan feudal law regulating feudal relations; (b) local usages, some growing independently and some very similar to Sicilian customs; (c) some declarations of private law which the Knights of St. John promised to respect and which were described as *capitoli*; (d) the general Romanistic tradition, which had had

an unbroken application. In the barbaric invasions, private law was not touched by the invaders, as elsewhere, and in the Arab domination the Maltese were allowed to lead their own lives, retaining their own laws and practising their own religion. The same legal tradition was carried on by the Norman, Spanish and Sicilian rulers, and therefore in 1530 it would be true to say that the Roman legal tradition had not been broken.

The Order of St. John was composed of members of the European nobility, and the main influences in the Order were Spanish, French, Italian and Portuguese. The first important collection of laws was issued in 1640 by Grand Master Lascaris Castellar, while the second important compilation of laws was promulgated by Grand Master Caraffa in 1681. It was followed in 1724 by the Codice Manoel of Grand Master Manoel de Vilhena, who described it as a digest of the constitutions hitherto promulgated by the Knights, and in his code he thus incorporated also the *Consolato del Mare*, which had been enacted in 1697 by Grand Master Raimond Perellos. Finally, in 1784, Grand Master Emanuel de Rohan promulgated the last code in the history of the Order in Malta: the Codice Municipale, also known as Codice de Rohan.

All the compilations of the Knights of St. John were based on materials which had been developed in a somewhat piecemeal way. These compilations were never intended to be a complete statement of the law, the order followed in them was not always ideal, and they had to be supplemented by the principles of Roman law, as understood and interpreted in those days. The latest and most important compilation, the Codice Municipale of de Rohan, was originally drafted by a Neapolitan jurist. The draft met with opposition from

local jurists and the Grand Master then entrusted the work to a local lawyer, whose draft was accepted with a few modifications. According to an eminent legal historian, Judge Paolo DeBono, the sources of this compilation were : the local, Canon and Sicilian laws, the 1729 constitutions of Victor Amadeus II of Savoy and the laws of Charles II, Ferdinand of Bourbon and Peter Leopold of Lorraine. In addition the precedents of the most eminent foreign tribunals of Italy, France and Spain were followed.

British rule

After a brief period of French occupation, and a successful insurrection against the French forces by the Maltese people, assisted mainly by British land and sea forces, the island was placed under the protection of the British Crown upon the request of the Maltese people. The organisation of the local courts and of the local administration was taken in hand during the governorship of Sir Thomas Maitland, who on 2nd January, 1815, declared as follows :—

"The great principle upon which it is the intention of His Majesty that the government of these islands should be conducted is that there should be a complete separation between the Executive, the Legislative and the Judicial authorities, that each should be independent of the other, and that while, on the one hand, the Judicial authority should be restrained in the closest manner from interfering with the Legislative or Executive, so, on the other, the Executive authority should be prevented from any undue interference with the judicial proceedings."

Measures for ensuring the independence of the judiciary were taken. The judges could not be dismissed *quamdiu se bene gesserint*, enjoyed fixed salaries and were forbidden to receive any fee or emolument of any description or to entertain any private application from suitors as professional persons. Despite the doctrine of the separation of powers which had been proclaimed, a Supreme Council of Justice was set up presided over by the Governor, helped by four other members, for the purpose of considering appeals in civil and commercial matters in extraordinary cases of evident injustice and hardship. Subsequently, appeals to the Privy Council were gradually allowed and the Supreme Council of Justice disappeared.

Codification of the law

As early as 1813, the Secretary of State expressed his intention of having a Commercial Code enacted, but apparently nothing materialised until 1831, when a commission made up of three English judges and two Maltese judges was set up in order to draw up five codes : civil, criminal and commercial, civil procedure and criminal procedure. The then Attorney-General, an English barrister, became later the sixth member of the commission. The Neapolitan Code was adopted by the commission as its model, but after some time the English commissioners insisted upon adopting English law as a model and discarding all that had been done. The Maltese judges upheld that English law, not being derived from Roman law, could not be taken as a model, unless it was desired to efface entirely the actual law of Malta. This conflict of opinion considerably delayed the commission's work but ultimately the British Government agreed with the opinion of the two Maltese commissioners and requested them to submit to the Government the Criminal Code that they had already drafted. Another commission composed of five Maltese judges was set up in 1834 and a draft code was produced. Owing to the unsettled political situation and to doubts on the part of the authorities on the model which was to be followed, the draft was revised several times. "Steam communication has decreased the distance between England and Malta

so materially that it becomes daily more important that this Colony should be English not Italian and that the spirit, at least, of English law should be introduced and every encouragement given to the dissemination of the English language," wrote the then Governor to the Secretary of State on 14th May, 1842. In 1842, the code was submitted to Mr. Andrew Jameson, a Scottish lawyer, who drew up a very learned report in which he brought into relief the salient differences between the proposed code and the legal system to which he had been accustomed and suggested many amendments. The Criminal Code was finally enacted in 1854.

The enactment of the Commercial Code took place in 1857. It was based on the French code, but on maritime matters special ordinances based on English law were enacted. Originally, even on maritime law the draft followed French and Italian law, but upon recommendations made by the Board of Trade in a report and a memorandum of 21st November, 1856, the Secretary of State did not approve of the part concerning maritime law, on the ground that in view of the then recent enactment of the Merchant Shipping Act, 1854, a separate treatment of maritime law was unnecessary, and also because it was in the interest of local trade to follow the principles of English maritime law.

The Civil Code was enacted by numerous ordinances between 1855 and 1873. The draft was made by the then Crown Advocate, Sir Adrian Dingli. Of this code it has been said that—

"In its general structure, it closely followed its prototype, the *Code Napoléon*: but even a cursory examination reveals that there is constantly an original mind at work. Apart from the several titles and innumerable articles which have no counterpart in the French code, the law presents a solution to many of the heated controversies which arose after the promulgation of the French code, thus eliminating many doubts" (biography of Sir Adrian Dingli, by J. M. Ganado and J. A. Micallet, in the *Law Journal* (Malta), vol. I, 2. 11).

During the compilation of the code, notes were kept of the sources which were consulted in the formulation of each section. The codes referred to were the French, Italian, German, Austrian, and other European codes, and the Civil Code of Louisiana.

Public law

It is in the field of public law that English law has had the greatest influence in Malta. On questions of constitutional law English case-law and textbooks are frequently quoted and followed by the Maltese courts. However, there have been several important departures from English constitutional law principles. For example, a special theory concerning Governmental responsibility was gradually developed whereby the Government was considered as possessing a dual personality : when the Government acts *jure gestionis vel administrationis* it is subject to judicial control and investigation just as any private individual, while, when it acts *jure imperii*, it is not subject to judicial control, if the acts performed were *intra vires* and the proper legal formalities were observed.

The position of the judiciary and the organisation of the courts were modelled upon the more liberal English system, rather than on Continental prototypes. The general division of the courts was into civil, commercial and criminal courts. No distinction ever existed between courts of equity and courts of common law, because this distinction never had any significance in Maltese law. The English doctrine of precedent was not followed. Judgments, especially if there is a series of judgments in the same sense, have great authoritative force but any judge or magistrate is strictly speaking

3 $\frac{3}{4}$ %
Income Tax
Paid

on a really sound investment

- YOUR INVESTMENT IS ABSOLUTELY SAFE AND DOESN'T FLUCTUATE IN VALUE
- YOUR MONEY IS AVAILABLE AT A FEW DAYS' NOTICE
- YOU PAY NO INCOME TAX ON THE INTEREST

*Why not write for full details, or better still,
call in at one of our offices.*



LEICESTER PERMANENT

—the most **progressive**
of the larger Building Societies

AUTHORISED FOR INVESTMENTS BY TRUSTEES

ASSETS EXCEED £68,500,000 RESERVES EXCEED £3,380,000

Head Office: WELFORD PLACE, LEICESTER
London Office:
FITZHERBERT HOUSE, 49 PARK LANE, W.I.
BRANCH OFFICES AND AGENCIES THROUGHOUT THE COUNTRY

£ FOR £

IT IS IMPOSSIBLE TO BEAT **SPEED-O-PRINT** —the world's most advanced PHOTOCOPIER

Photocopying saves you time and money. And the SPEED-O-PRINT Photocopier gives you the best return for your outlay because it offers so many outstanding advantages.* Whether you have an office copier, are thinking of getting one, or wonder if one will do you any good—you owe it to yourself to study the full SPEED-O-PRINT story.

**Which you can do quite easily by
mailing the coupon below**



* NO CHEMICALS

to mix or handle—just slip in the SPEED-O-PRINT Redi-Pak cartridge.

* PORTABLE

you can carry SPEED-O-PRINT from office to office, use it on any desk—the developer does not spill.

* NO WASTE

Unique built-in paper dispensers prevent faulty feeding—eliminate waste.



NEW
BRIEF SIZE
MODEL FOR
LEGAL USE

Models from £60. Trade-ins accepted



OFMEX

SPEED-O-PRINT

CUT THIS OUT AND STAPLE TO YOUR LETTERHEAD

TO OFREX GROUP INFORMATION SERVICE
OFREX HOUSE, STEPHEN STREET, LONDON W.I. TEL: MUSEUM 3686
Please send complete details of SPEED-O-PRINT Photocopiers

NAME _____ COMPANY _____

ADDRESS _____

(S.J.)

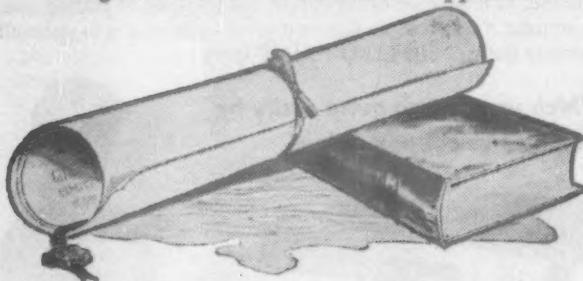
Ofrex is Group

Please mention "THE SOLICITORS' JOURNAL" when replying to Advertisements

Testament for Happiness

Making a Will might seem to be a rather grim procedure to some clients. Yet, in point of fact, the very knowledge that a deserving cause will eventually benefit by their bequest usually affords them much pleasure and happiness in their lifetime.

That is why we ask you to bear in mind Dr. Barnardo's Homes whenever the question of Will-making arises. A Will that includes a bequest to the Barnardo family of over 7,000 boys and girls is indeed a testament for happiness.



DR. BARNARDO'S HOMES
83, TRUSTS DEPT., STEPNEY CAUSEWAY, LONDON, E.I.



**WOULD YOU
REFUSE**

Of course you would not refuse help. But speedy practical measures backed by experience are often called for. Wherever there is need The Salvation Army stretches out a ready hand. Its homes for the aged, for children, for unmarried mothers, hostels for homeless men and women and Goodwill Centres, serve an essential cause. But you can help. Gifts and bequests are vital to maintain the work.

Please send to **The Salvation Army**
113 Queen Victoria Street, London, E.C.4.

Comprehensive information on our work is given in the booklet "Samaritan Army" which will be gladly sent on request.

Please mention "THE SOLICITORS' JOURNAL" when replying to Advertisements



The
FLYING ANGEL
is a flag well known to
seamen. It stands for a
world-wide ministry to
body, mind and soul.

A legacy to **THE
MISSIONS TO SEAMEN** will keep the flag flying
—no better service could be rendered to seafarers.

Please note exact style and title of the Society

THE MISSIONS TO SEAMEN
4 BUCKINGHAM PALACE GARDENS, LONDON, S.W.1

P&S

**Specialists in
International Removals
and the dispersal
of chattels to and from
all parts of the world**

Executors and Trustees are invited to enquire about our complete service of collection, packing, shipment and insurance.

Established 1876

PITT & SCOTT LTD., 1-3 St. Paul's Churchyard, London, E.C.4
CITY 6474 (6 lines)
and at Paris, New York, Liverpool, Glasgow, etc.

VALUERS INSTITUTION

LIMITED BY GUARANTEE

FOUNDED 1928



Membership
about 4,000

25 Branches
throughout the
United Kingdom

Designatory Letters : F.V.I. and A.V.I.

Valuations of Chattels and Real Estate, Surveys,
Sales by Auction and Private Treaty, Property
Management, etc., by qualified members

HEADQUARTERS:
3 CADOGAN GATE, LONDON, S.W.1

SLOANE 6258/9

Please mention "THE SOLICITORS' JOURNAL" when replying to Advertisements

entitled to dissent from any judgment even if delivered by the highest tribunal.

The legal profession is divided into three sections: advocates, notaries public and legal procurators. Advocates may be briefed directly by the client, and there is no precise counterpart of the English distinction between barrister and solicitor. Notaries public receive public deeds, which include all transfers of immovable property or real rights over immovables or the constitution of such real rights and the making of wills. Legal procurators have the right of audience before inferior courts (presided over by stipendiary magistrates) and several boards; furthermore, they can deputise for litigants before the superior courts mainly for the purpose of filing pleadings.

During the last twenty years, a large volume of legislation inspired by similar legislation in the United Kingdom or in the countries of the Commonwealth has been enacted. The adoption of such legislation as a model has had its effect on the drafting techniques; while most laws in pre-war days were drafted in the style of the *Code Napoléon*, with relatively brief and clear provisions containing enunciation of principles, subsequent legislation has tended to follow the style of English statutory legislation.

The more important legislation can be grouped into three general categories:—

(1) *Fiscal*.—The introduction of income tax as from 1st January, 1949, was certainly the most important step.

No income tax had existed prior to that date. No distinction is drawn between earned and unearned income for purposes of tax. The initial personal deduction is £240 per annum for single persons and £420 per annum for a married couple and £80 per annum for each child. The incomes of husband and wife (with the exception of certain cases of separation) are regarded as one income. Deduction of tax at source has been introduced so far only in regard to dividends deriving from shares in limited liability companies and certain investments abroad.

(2) *Industrial and labour*.—Legislation has been enacted on the legal position and registration of trade unions, and machinery for the conciliation and compulsory arbitration of trade disputes has been constituted. An arbitration tribunal is composed of one of Her Majesty's judges and of two persons selected from two panels nominated respectively by bodies or associations of employers and bodies or associations of workmen. The Conditions of Employment Act, the constitution of wages councils, regulations made for the safety of workmen in factories, compulsory national insurance of employees and other laws follow British trends in the organisation and regulation of industries and industrial relations.

(3) *Social welfare*.—The main legislation enacted concerns old age pensions (payable to all poor persons over the age of sixty) and various forms of national assistance.

(To be concluded)

PROTECTIVE TRUSTS AND ADVANCEMENT

THE decision of the Court of Appeal in *Re Pilkington's Will Trusts* [1961] 2 W.L.R. 776; p. 422, *ante*, is, I understand, likely to be the subject of an appeal to the House of Lords. Meanwhile, a simple and useful method of alleviating the burden of estate duty must necessarily be abandoned, whether permanently or temporarily only the future can say. Either way, the case is of first-class importance to anybody who wishes to keep himself abreast of developments in the law of trusts, with particular reference to the impact of estate duty on settled property.

The facts

For the purpose of this article, the essential facts can be very shortly stated. By the will made in 1934 of a testator who died in 1935 a fund was held upon protective trusts for A for life with remainder to his issue as he should appoint, etc., in the manner usual in such trusts. A had three infant children, and for the purpose of avoiding the payment of estate duty on A's death the trustees proposed to exercise the power of advancement conferred by s. 32 of the Trustee Act, 1925, in favour of one of these children ("Penelope"), then aged between two and three, by applying one moiety of her then expectant share of the fund by making it subject to the trusts of a new settlement (there would have been no actual transfer of funds, as the trustees of the original fund were also the trustees of the new settlement). Under the new settlement the income of any property subject thereto would have been available for the maintenance of Penelope during her minority, and would then have been paid to her between the ages of 21 and 30, at which age she would have become entitled to the capital, with trusts over to her children and others if she should die before reaching the age of 30. The power conferred by s. 32 of the Trustee Act was expressly

made applicable to the new settlement. It will thus be immediately apparent that the proposal to exercise the statutory power of advancement in relation to a moiety of Penelope's share in this manner involved the conferment of benefits of various kinds on persons other than Penelope, sometimes subject to the discretion of the trustees not of the original fund, but of the new settlement. The fact that, initially, these would all have been the same persons is irrelevant when the maxim *delegatus non potest delegare* has to be applied, and, whether the Court of Appeal's decision stands or not, this particular feature of the "new settlement," which was no essential part of it, may well be objectionable.

Application to the court

Before putting this scheme into operation the trustees applied to the court for directions whether such an exercise of the power would be improper as offending the rule against perpetuities. Danckwerts, J. (as he then was), held that it would not. The point for discussion was whether the new settlement had to be read into the trusts of the testator's will in order to determine the starting point of the perpetuity period (in which case the postponement of the vesting of Penelope's interest under the new settlement until her age 30 was fatal), or whether a fresh start could be made with the new settlement, in which case a perpetuity period starting with the date of that settlement was within the rule. The learned judge held that the latter was the true view. Now the Court of Appeal, after allowing the Commissioners of Inland Revenue to be joined as parties to the appeal, and hearing them, have reversed the decision below. The principal ground for their decision was that the scheme contemplated, not an advancement within s. 32, but a resettlement of the moiety in question of Penelope's share,

and that was not within the intendment of the section. Upjohn, L.J., also expressed the view that the scheme involved an infringement of the perpetuity rule. Various other points raised by the commissioners as grounds of appeal were also discussed by the learned lord justice and the Master of the Rolls (the third member of the court simply expressed agreement with his colleagues' conclusion), e.g., the *delegatus* point which I have already mentioned; but in the main, for general purposes, this is a decision that an application of property, in purported exercise of s. 32, by transferring it to the trustees of a new settlement for the benefit of the beneficiary is a resettlement, and not within the scope of s. 32.

Need of maintenance

To what extent the court was influenced in this decision by the fact that Penelope, by reason both of her age and of other factors, was in no need of maintenance, it is difficult to say. In *Re Ropner's Settlement Trusts, infra*, it was argued (powerfully, I think) that, whatever the age and financial circumstances of the beneficiary, it must be for his benefit to have an interest which is subject to the possibility of defeasance, as, e.g., by the exercise of a power of appointment, converted by the exercise of the power conferred by s. 32 into an indefeasible interest (a view supported by the decision of the Court of Appeal itself in *Re Vestey's Settlement; Lloyds Bank v. O'Meara* [1951] Ch. 209, which was cited in *Re Pilkington* but not mentioned in the judgments). No doubt similar arguments were put forward in the recent case. The point is an important one, in that it leads to the question whether *Re Pilkington* has affected the validity of the decision in *Re Ropner's Settlement Trusts* [1956] 1 W.L.R. 902, in so far as that decision was, in the interval between the two cases, frequently accepted as an authority for the view that an out-and-out transfer of capital, directly to the beneficiary if *sui juris* and otherwise to trustees for his benefit, with no other motive in the minds of the trustees than the desire to

avoid estate duty on the property advanced if the tenant for life should live for five years, constituted a proper exercise of the power conferred by s. 32. (In fact, in *Re Ropner*, the transfer was to trustees on the trusts of settlements the details of which are not reported, and on its own facts the case can only be treated as indistinguishable from *Re Pilkington*.) Until the position is clarified, safety lies in assuming that, despite *Re Vestey*, any transfer of property for the benefit of an infant in purported reliance on s. 32 may turn out to be improper, unless the property is required for the immediate conferment of a tangible benefit on the infant—e.g., the payment of school fees. If trustees are minded to exercise this power for the benefit of an infant not in immediate need, and cannot wait until the decision in *Re Pilkington* is reconsidered (either in that case, or in some other in which the same point arises), they should apply to the court for directions.

Necessary provision for protective trusts

Meanwhile, any new settlement which creates protective trusts (a comparative rarity nowadays, but they still occur) should provide that the surrender by the protected life tenant of his life interest in favour of a remainderman shall not constitute a forfeiture of such interest on the part of the life tenant. Such a provision enables that to be done which otherwise may be possible only by the exercise of the statutory power of advancement, but without creating any of the doubts which, since *Re Pilkington*, surround the question whether an out-and-out transfer of capital to an infant remainderman, either by transfer to new trustees for the infant or by transfer in the existing trustees' books to an account for the benefit of the infant, is permissible if there is no motive for the transaction other than the desire to save estate duty on the life tenant's death. The occasions for the addition of such a power will now be rare, but in the cases where the need will arise it will prove a most beneficial feature.

"ABC"

Landlord and Tenant Notebook

"FOR THE TERM OF ONE YEAR"

THE report of the county court case of *Lamb v. Boyden* in *Current Law* for September, 1961 (para. 112 (f)) is a short one, but suggests discussion of a number of points.

The plaintiff had let the defendant a flat "for the term of one year commencing on the 26th day of March, 1960, at the weekly rent of £3 17s. 6d. per week, payable by equal weekly payments on the first Saturday of each month." The defendant held over and on 24th May, 1961, the plaintiff served a notice to quit expiring on 23rd June, 1961. The 26th March, 1960, was a Saturday; the 26th March, 1961, a Sunday; the 23rd June, 1961, a Friday. The defence was that as the weekly tenancy created by the holding over began on 26th March, 1961, a Sunday, a notice to quit expiring on a Friday was bad. The plaintiff contended that the effect of the provision for equal payments on a Saturday was that the "one year" meant fifty-two weeks. The learned county court judge decided in favour of the defendant: "one year" could not mean less than 365 days.

The term

It might at one time have been argued that, whenever the one year expired, the new tenancy created by holding over was a yearly tenancy determinable by not less than six months' notice expiring with a year of the tenancy. Three decisions have dealt with this point. There was an exhaustive examination of the position at first instance in *Ladies' Hosiery and Underwear, Ltd. v. Parker* [1930] 1 Ch. 304 (C.A.): some unoccupied land had been let "to hold for a term of three years" from 12th October, 1914, at a rent of £2 a week, the first payment to be made on 19th October, 1914, and subsequent payments weekly. What was ultimately decided by the Court of Appeal was that there was no tenancy at all between the parties to the case, but what matters for present purposes is Maughan, J.'s reasoning about the term of the tenancy by holding over if there were one: for the defendants had counter-claimed a declaration that they were yearly tenants, basing their contention on payments of £2 a week made after the three years. In the light of older authorities,

COLLINS & COLLINS & RAWLENCE

6 BOLTON STREET, PICCADILLY, LONDON, W.I.

Telephone: GROsvenor 3641

THE HIGHLY VALUABLE

FREEHOLD GROUND RENTS

secured upon

Eighteen Medium-sized Luxury Residences

in

CHELSEA PARK GARDENS, THE VALE

and

MALLORD STREET and OLD CHURCH STREET

producing approximately

PER £315 ANN.

REVERSIONS IN 42 YEARS

AUCTION, JANUARY 17, 1962

(unless previously sold)

Solicitors: Messrs. PEARSON & MACKIRDY, Helmsley, Yorkshire

Three Exceptional Building Sites

CHISLEHURST, KENT

Nearly 3½ Acres

HIGHLY VALUABLE

Building Land

together with the
LUXURIOUSLY APPOINTED
RESIDENCE

containing

Hall, Four Reception Rooms, Eight
Bedrooms, Four Bathrooms, etc.
Central Heating. All main services
PLANNING CONSENT FOR 12
DETACHED HOUSES

FREEHOLD

WITH VACANT POSSESSION

FOR SALE BY AUCTION

(unless previously sold privately)

EPPING, ESSEX

Overlooking Epping Forest and close
to the Town and all travel facilities

First-class Site

of

Over 1 Acre

including swimming pool with

PLANNING CONSENT FOR
REDEVELOPMENT AS HIGH-
CLASS MAISONETTES

FREEHOLD—BY AUCTION
(unless sold previously)

TORQUAY

On High Ground with Panoramic View
over Torbay

SUPERB Building Site

Nearly 3 Acres

The property affords unsurpassed views
over sea and country, yet is within
walking distance of the town centre

OUTLINE PLANNING
PERMISSION FOR 44 FLATS

FREEHOLD BY AUCTION
IN DECEMBER

(unless previously sold)

Particulars and Plans from the
auctioneers as above

HE GAVE HER THE BIRD . . .

In the 17th century, after 14 years of unhappy marriage to the daughter of the Duc de Grammont, Henry, Earl of Stafford wrote of her, "To the worst of women, Claude Charlotte de Grammont, unfortunately my wife, guilty as she is of all crimes, I leave five and forty brass half-pence, which will buy a pullet for her supper." This appears to be his only contribution to the feathering of her nest.

These days the will-maker usually gets advice, and the conscientious advisor is unlikely to favour the clause picturesque, however strong the client's whim. His concern is that money should be willed to good purpose, and in this he would do well to remember that it could hardly be better employed than in helping maltreated children.

*When advising on wills and bequests
remember the*

N · S · P · C · C

93 VICTORY HOUSE, LEICESTER SQUARE, LONDON, W.C.2.

DOCTOR TAKEN OUT TO DUTCH TANKER

GREAT YARMOUTH & GORLESTON, NORFOLK. At 10.58 on the morning of the 24th March, 1960, Lloyd's agent at Great Yarmouth informed the honorary secretary that there was a sick man aboard the Dutch tanker Mare Novum, which was proceeding towards Yarmouth Roads. The master had asked for a life-boat to meet him with a doctor. The life-boat Louise Stephens, with a doctor on board, was launched at low water at 1.2. There was a fresh easterly wind with a heavy swell. The doctor boarded the tanker and found the patient lying in the engine room with severe internal injuries. He decided the man was in too bad a state to be landed by life-boat. The tanker entered the harbour, where the patient was taken by ambulance to hospital. The life-boat reached her station at 1.31.



An English Coxswain

This is another true story of the Life-boat Service—typical of the work that is going on day and night, year in, year out.

The Royal National Life-Boat Institution is supported wholly by voluntary contributions.

YOU CAN HELP. SEND YOUR CONTRIBUTION TO:—
ROYAL NATIONAL LIFE-BOAT INSTITUTION
42 GROSVENOR GARDENS, LONDON, S.W.1.

R.N.L.I.

Please mention "THE SOLICITORS' JOURNAL" when replying to Advertisements

NO DOUBT ABOUT...

**CONFIDENTIAL
DOCUMENT
DESTRUCTION**

As merchants we collect wastepaper of all kinds, but specialise in the destruction of confidential documents, and operate a daily collection service. *Contractors to Her Majesty's Stationery Office.*



Contact Mr. Allen at:

PAPER FIBRE SUPPLIES LTD.
ELEY'S ESTATE, ANGEL ROAD, EDMONTON,
LONDON, N.18. Tel.: EDMONTON 3799, 7824 & 7897
ONE OF THE MAYBANK GROUP OF COMPANIES
Branches at: HIGGINSHAW, PORTSMOUTH, EDMONTON, DEPTFORD



The Incorporated Society of Auctioneers and Landed Property Agents

Distinguishing Letters
F.A.I.P.A. (Fellow) **A.A.L.P.A. (Associate)**

Members of the Society are in practice as Auctioneers, Estate Agents, Surveyors and Valuers throughout the country and undertake professional work in connection with Compulsory Acquisition, Rating, Town Planning, Valuation of Real and Personal Property for all purposes, and similar matters. Names and addresses of members in any particular locality may be obtained from the Secretary at the Society's Headquarters :

34 QUEEN'S GATE, LONDON, S.W.7

Telephone : KNIGHTSBRIDGE 0034/5/6

the learned judge held that as the original lease had been for three years at a rent of £2 a week, not at a yearly rent of £102 payable weekly, subsequent payments had not been paid either with reference to a year or to any aliquot part of a year: *Richardson v. Langridge* (1811), Taunt, 128, accordingly warranted the proposition that, when the defendant who had paid the £2 a week after expiration of term had made the payments, he was *prima facie* not paying with reference to a year or an aliquot part of a year.

The "prima facie" is of some importance, the creation of a tenancy by implication being essentially a matter of inference from facts. This may explain the *prima facie* disturbing decision of Macnaghten, J., a few years later in *Covered Markets, Ltd. v. Green* [1947] 2 All E.R. 140. There had been a seven years' lease of a shop—the documents could not be found, but it was agreed or found that it had run from 1934 or 1935 and that it had reserved a rent of £3 payable weekly in advance. In June, 1946, the tenant was still paying and the landlord accepting such payments. The landlord then gave the tenant eleven days' notice. The learned judge distinguished Maughan, J.'s judgment in *Ladies' Hosiery and Underwear, Ltd. v. Parker*: it did not mean that the proper inference could not be that the tenant held over from year to year; and where the premises were a shop, not a piece of vacant ground, and the tenant had carried on business for seven years under his lease and had been allowed to stay on for several years afterwards, the proper inference was that there was a yearly tenancy on the termination of the seven years.

The reference to being allowed to stay on is somewhat puzzling: one would expect it to be followed by a statement that after so much time a yearly tenancy came into being: that if the landlord had acted within a few weeks, he would have succeeded. Which is not consistent with the view that a yearly tenancy had followed the expiration of the seven years immediately.

But in *Adler v. Blackman* [1953] 1 Q.B. 146 (C.A.), the court considered that Macnaghten, J., had erred. The premises concerned, which were business premises, had first been let by the plaintiff to the tenant on a weekly tenancy; then had come a "term of one year at the inclusive weekly rent of £3 payable weekly in advance in each week during the whole of the tenancy"; when that year expired, the defendant went on paying the weekly rent. A notice appropriate to a weekly tenancy was held valid. Somervell, L.J., pointed out that the decided cases where a yearly tenancy

had been implied had been cases where the rent had been stated as a rent per year, though it might be payable at stated intervals; Jenkins, L.J., agreed that there was no ground for the implication of a yearly tenancy.

Something for nothing

The last-mentioned authority, of course, made it impossible for the defence to argue that a yearly tenancy had come into being; perhaps the only possible way in which the plaintiff could have met that objection would have been one based on what is a curious feature of the authorities mentioned. One year, as the judge held, cannot be less than 365 days (the same applies to "twelvemonth," though before the days of the Interpretation Act, 1889, s. 3—and of the Law of Property Act, 1925, s. 61—"twelve months" was said to mean 12×28 days: *Catesby's Case* (1607), 6 Co. Rep. 61b). But if 52 into 365 or 366 (leap years) "won't go," what did the last payment made by the tenant cover? I am told that the learned judge noticed this point, but merely observed that the tenant had had one day for nothing. By parity of reasoning, the tenants concerned in *Ladies' Hosiery and Underwear, Ltd. v. Parker* and *Adler v. Blackman* must have had something for nothing. In those cases the length, rather than the date of expiry, of the notice, was what mattered; in neither of them was it pleaded that a notice had expired on an impossible date. It was, however, apparently assumed that any new tenancy began the day after the expiry of the fixed term.

There is a further difference between the position revealed in *Lamb v. Boyden* and that dealt with in the other cases: the rent in those cases was weekly and was payable weekly: in *Lamb v. Boyden* it was weekly but payable monthly. Which makes one wonder what the tenant paid the landlord when five weeks had elapsed since the first Saturday in the preceding month, e.g., whether he paid £19 7s. 6d. or £15 10s. on 7th May, 1960; and what any payment made on 1st April, 1961, covered.

The drift of these observations is this: it might be possible, in such a case, to infer that the new tenancy by holding over began when the parties no longer had the original fixed term in mind, and were simply regarding the relationship as a weekly or four-weekly tenancy. It was presumably on this basis that the plaintiff served the notice to quit expiring 23rd June, 1961—and the tenant had not had one day for nothing.

R. B.

Personal Note

Mr. JOHN BRIAN MORLEY, prosecuting solicitor at Portsmouth, was married to Miss Jacqueline Marie Francoise Alberte Morin, in Clermont-Ferrand, France, on 18th November.

Obituary

Mr. DAVID REGINALD LLOYD, B.Sc., retired solicitor, of Haywards Heath, died on 15th November, aged 69. He was admitted in 1949.

Mr. EDWARD GUTHLAC SERGEANT, solicitor, of the legal department of the Board of Inland Revenue, author of "The Law of Stamp Duties," died on 16th November, aged 79. He was admitted in 1908, and retired only last August.

Mr. DOUGLAS AIKENHEAD STROUD, K.S.G., I.S.O., LL.D., retired solicitor, of Wallington, died on 5th November, aged 85. He was admitted in 1900.

Sir WYNN POWELL WHELDON, K.B.E., solicitor, of Bangor, died on 10th November, aged 81. He was admitted in 1907.

Wills and Bequests

Mr. ALLISON HOWARD GOULTY, solicitor, of Manchester, left £44,493 net.

Mr. ALAN JOHN DEVERELL LANGFORD, solicitor, of Harpenden, former deputy town clerk of Derby, left £53,988 net.

Mr. ALAN BRODRICK THOMPSON, solicitor, of Newcastle upon Tyne, left £23,686 net.

Mr. GEORGE ALFRED WEBSTER TURNER, solicitor, of Stockport, left £51,743 net.

Mr. JOHN EDWARD HOLDICH WARTNABY, solicitor, of London, S.W.1, left £334,531 net.

Societies

The CHESTERFIELD AND NORTH EAST DERBYSHIRE LAW SOCIETY held a joint dinner with the Chesterfield Division of the British Medical Association at the Station Hotel, Chesterfield, on 8th November, at which 110 members and guests attended. Speeches were made by Mr. W. H. Blakesley and Dr. G. May, respectively the president and chairman of the two societies.

HERE AND THERE

DRAMA SUPREME

BEFORE the war, oh yes, and long before Hitler too, persons in authority in Germany had a reputation for exhibiting more than a touch of drama and theatricality in the exercise of their functions and, in a settled spirit of submission, ordinary Germans accepted it as normal to defer to a show of force. Before the first world war, Europe was set laughing by the episode of the Captain of Koepenick, a magnificent hoax achieved by a little man in quite a humble station in life, who, by the simple expedient of putting on an officer's uniform, secured the obedience of a file of soldiers and placed the mayor of the town under arrest. The most magnificent moment of his epic came when the mayor, greatly daring, asked for his authority, and, pointing to the shining bayonets of his escort, he replied: "These are my authority," an explanation which the mayor, like a well-disciplined German official, appears to have accepted as perfectly satisfactory.

CHANGE OF EMPHASIS

THINGS would seem to be very different now in Western Germany. A military uniform backed by a row of bayonets no longer commands instant obedience. On the contrary, the judiciary, clothed with enhanced authority, is over eleven thousand strong, almost an army in itself, an array irresistibly impressive to us in England, who manage to get along with about a hundred and fifty, including county court judges and stipendiary magistrates. Rather to the surprise of those who knew Germany before 1939, these modern judges are displaying a solicitous respect for the human personality of the accused and a careful observance of the decencies of legal process, but every now and then, it seems, a touch of the old taste for the theatrical breaks the serene surface of the new procedure. In its own way the recent story of the Frankfurt library book has a flavour as individual as that of the episode of Koepenick, save that librarians the world over will turn sympathetic thoughts towards the magistrates' clerk who made an order which any librarians' conference would by unanimous resolution approve.

GRAY'S INN

His Honour PERCY CHARLES LAMB, Q.C., has been elected treasurer of Gray's Inn for 1962, in succession to Mr. MICHAEL EDWARD ROWE, C.B.E., Q.C., who has been elected vice-treasurer for the same period.

COLONIAL LEGAL APPOINTMENTS

The following appointments are announced by the Colonial Office: Mr. M. J. ABBOTT to be chief justice, Bermuda; Mr. DATO ABDUL BIN HAJI MOHD. ZAIN AZIZ, senior federal counsel, Brunei, to be attorney-general, Brunei; Mr. V. BOULOUX, senior crown counsel, Mauritius, to be assistant attorney-general, Mauritius; Mr. P. H. COUNSELL, Crown counsel, Northern Rhodesia, to be director of public prosecutions, Northern Rhodesia; Mr. M. DAVID, Crown counsel, Mauritius, to be senior Crown counsel, Mauritius; Mr. K. T. FUAD, Crown counsel, Uganda, to be senior Crown counsel, Uganda; Mr. M. LATOUR-ADRIEN, assistant attorney-general, Mauritius, to be solicitor general, Mauritius; Mr. J. R. GREENE to be magistrate, Hong Kong; Mr. P. STAFFORD to be magistrate, Hong Kong.

VIOLENCE TOWARDS BOOKS

ONLY a librarian knows the multifarious iniquities of book borrowers. They scribble marginal comments in valuable volumes. They have been known to mark their places with rashers of bacon. Even when they do not actually maltreat books, they display a resolute reluctance to return them. Rarely is there an intention to deprive the library permanently of its property. The attitude is rather that of an affectionate host who cannot bring himself to let a cherished guest depart. In the studious Germans this mental condition is, no doubt, particularly pronounced. So it was, probably, with the thirty-three-year-old Frankfurt man who two years ago borrowed from the University Library there a volume worth over £3 and failed to return it. It does not appear from the report of the subsequent proceedings what is the customary procedure followed by German librarians in such a case, whether they send inquiries or reminders first and only later on resort to stronger measures. But one morning this particular borrower found himself roused from his bed by an officer of justice, handcuffed and marched off to a local magistrates' court, where he was asked whether he had yet finished with the volume. One can scarcely doubt that the procedure was effective in extracting a more explicit and wholly satisfactory answer than would have been procured by mere desultory correspondence. Librarians will be sorry to hear that it was all a mistake, a clerical error in the drawing up of an order. The library had invoked the help of the court, but no accusation had been formulated and at that stage the magistrate only proposed to administer a few interrogatories. It was the clerk who drew up the summons who had added with an excess of judicial artistry the authority to use handcuffs. Handcuffs are prescribed for arrests in the case of alleged crimes of violence. Perhaps the book-loving clerk was haunted by visions of books kidnapped, dismembered, drowned, stabbed, burnt with cigarettes, mutilated, stripped of their bindings, so that he thought he had better be on the safe side. The episode ended with apologies and explanations from a spokesman of the Federal Minister of Justice. All the same, handcuffs may sometimes be the only way of dealing with a hardened and desperate book borrower.

RICHARD ROE.

COMMISSIONERS OF ASSIZE

Mr. STEPHEN CHAPMAN, Q.C., has been appointed commissioner of assize at Winchester, Mr. STANLEY REES, Q.C., at Stafford, and Mr. EUSTACE WENTWORTH ROSKILL, Q.C., at Birmingham.

LATE DELIVERY OF PAPERS

The Master of the Rolls said in the Court of Appeal on 23rd November that the court was suffering inconvenience from the failure of appellants in appeals from county courts to deliver papers in time in accordance with the rules. If this bad practice continued the court would have to take the strict course of dismissing the appeal.

Law Lecture

There will be a lecture on "Natural Law as a Basis of Society—A South African View," by Mr. H. J. B. Vieyra, Q.C., of the South African Bar, at the Legal Studies Group of the Newman Association, the Newman Centre, 31 Portman Square, London, W.1, on 12th December, at 6.30 p.m.

Merchant and Investment Bankers

We have a century-and-a-half of experience behind us in the City of London, and amongst our clients are some of the largest and most progressive companies in the country. Besides providing acceptance credit and other specialised banking facilities, we can also offer our services in the following fields:

Company Finance

Loan and Share Capital Issues, mergers, acquisitions, capital reorganisations, the conversion of private into public companies—these are some of the operations we undertake.

In all such matters an important factor for success can be the skill and standing of the "House" behind you.

International Banking

Successive generations of our partners and principals have built up close personal friendships with bankers and industrialists in many countries abroad. In New York we have unique advantages through our affiliation with the J. Henry Schroder Banking Corporation, and we have too our own offices in Europe and in Rio de Janeiro and Buenos Aires.

Investment Management

We are well placed to assess developing trends in industry and commerce. We also keep in daily contact with the main Stock Exchanges and with leading institutional investors.

Our organisation is thus a clearing house of information and opinion on which we can draw to aid us in the management of our many investment portfolios, which include Investment Trusts, Pension and Endowment Funds.

These can be managed either under a specific arrangement or at our discretion.

J. HENRY SCHRODER & CO. LTD.

145 Leadenhall Street, London E.C.5
Telephone : AVEnue 4600

and

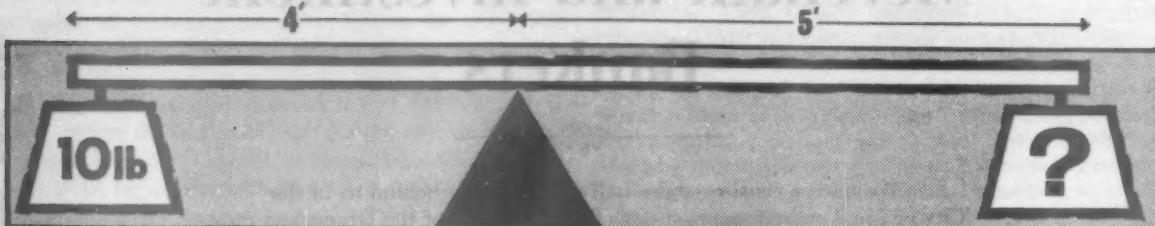
HELBERT, WAGG & CO. LTD.

41 Threadneedle Street, London E.C.2
Telephone : LONdon Wall 1722

*A complete financial, banking and investment service
both at home and abroad.*

Problem...

What weight is needed on the right-hand side to balance the beam? You learned about this kind of thing at school, but could you work it out now? Or would you rather ask an engineer?



Life Problem...

Aggregate funds
of the Friend's
Provident Group
exceed £104,000,000



Friends' Provident and Century Life Office

Established 1832 for Mutual Life Assurance

Head Offices: 7 Leadenhall St., London, EC3 Tel: Mansion House 4511
18 Charlotte Square, Edinburgh, 2 Tel: Caledonian 6151

Friends' for Life

Will nobody help me?

Of course we will... and all the other dogs in special need of care. There are Canine Defence Free Clinics up and down the country where the pet of the poorest receives treatment equal to the finest in the land. And there is the Veterinary Aid Ticket Scheme—run by Canine Defence who pay for veterinary aid in needy cases. Every National Canine Defence League Clinic has a full hospital service behind it. And it is to maintain and develop this service—as well as our other humane activities... protecting dogs from cruelty and ill usage of every kind—that we ask for the practical help of all kind-hearted people. *Full details from*



CANINE DEFENCE

NATIONAL CANINE DEFENCE LEAGUE
10 Seymour Street, London, W.1. Tel: WELbeck 5511



ROYAL COLLEGE OF SURGEONS OF ENGLAND

Recognised by Law as a Charity

The College, one of the leading centres of surgical research and study is, with its unique opportunities, expanding and increasing its programme of research, especially in the fields of ANAESTHETICS, WOUND HEALING AND INHERITED BLINDNESS.

The College also carries out extensive teaching activities for postgraduate students. It is not under State Control.

FUNDS ARE
URGENTLY
REQUIRED
FOR

Research scholarships and grants
Building and maintenance of research
laboratories and lecture rooms
Purchase of scientific equipment

LEGACIES are particularly acceptable. SUBSCRIPTIONS can be made by seven-year covenant. GIFTS and enquiries should be addressed to Mr. W. F. Davis, Deputy Secretary, Royal College of Surgeons of England, Lincoln's Inn Fields, London, W.C.2. Telephone: HOL 3474

CORRESPONDENCE

[The views expressed by our correspondents are not necessarily those of "The Solicitors' Journal"]

Motor Insurance

Sir.—It is a dangerous thing to question your editorial utterances. However, in your issue of 17th November, under the heading "Insurance: *Uberrima Fides*" (p. 956), you do, I think, venture on to very uncertain ground when you say that the "hotting up" of a motor car engine is necessarily a matter to be referred to insurers and that failure to do so would avoid the policy. The premise, I presume, is that a car with a higher potential speed than another is, in practice, a more dangerous one and *ipso facto* it should bear a heavier insurance premium. Fortunately, the open question as to whether speed and danger necessarily go together does not concern the present issue but only how it affects insurance policies.

In case some of your readers are unaware of the fact several manufacturers offer at extra cost when supplying new cars components that have the effect of raising, often very greatly, the speed potential of the particular car. Insurance companies do not differentiate between these stages of tune (except for actual super-charging) and offer the same terms regardless of type, all things being equal.

Secondly other makes, notably B.M.C., make virtually identical cars with engines of different output. For example, the medium-size Austin, Wolseley, M.G. Magnette and Riley and in another group the Hillman Minx and Sunbeam Rapier are in effect identical cars but with engines in very different states of tune. Insurance does not differ at all between any of them. This appears to point to the conclusion that, in the eyes of an insurer, the high performance type of vehicle does not carry any greater insurance risk. To take a particular case, the owner of a 1,500 c.c. Austin would have to do something very major in the way of "hotting up" to bring the output of his car to the same level as the virtually identical Riley but, presumably, from an insurance point of view the risk remains the same.

In addition to the above it must be remembered that different makes of car of the same engine size have widely different speed potentials but are all lumped together for insurance purposes. If speed potential, as measured by engine output, was a material factor for insurance purposes it would be perfectly easy for the insurance companies, with the aid of readily available road tests in the technical press, to produce a performance factor applicable to any particular vehicle and assess premiums on that and not on mere size.

I therefore suggest that, assuming that no radical changes are made to a car engine, then the form of "hotting up" so widely done by owners at present would not be regarded, if it came to the point, as a material factor, non-disclosure of which would avoid a policy.

In this letter I deliberately ignore sports cars, which are of course assessed in a different way, and supercharging, about which all insurance proposal forms inquire and which I understand will result in insurance loading.

C. H. G. PROCTOR.

Shaldon,
South Devon.

[It does, of course, depend upon the degree of "hotting-up." In our view, if the "hotting-up" substantially increases the performance of a vehicle this would be a "material fact" within s. 207 (3) of the Road Traffic Act, 1960. As far as we are aware, a 1,500 c.c. Austin is not built to deal with the performance of a Riley engine and this fact would seem "to influence the judgment of a prudent insurer."—Ed.]

"After-Sales Service" in Conveyancing

Sir.—If any articled clerk or young solicitor reads the article "'After-Sales Service' in Conveyancing" over the initials H. L. M. in your issue of 17th November, I think he should understand that the attitude of the writer of that article is not the attitude of the majority of the profession.

Solicitors (like mankind in general) may be divided into two groups, those who do as much as they can and those who do as little as they must. I believe it to be true to say that the majority of solicitors fall into the former category.

For those of us who are Christians the matter is determined by authority. Our Lord meant what he said about going the second mile.

M. S. GUNN.

London, N.1.

Demolition Order Procedure

Sir.—In the article, entitled as above, at p. 964 of your issue of 17th November, the author has failed to notice the amendment to s. 58 of the 1936 Act effected by the Public Health Act, 1961 (s. 27 (5) and Sched. V, Pt. II); it is now no longer possible to take action under s. 58 if the building is ruinous or dilapidated. The similar, but simpler, procedure of s. 27 of the 1961 Act may, however, be followed, although this is not likely to be relevant within the context of your article, as such premises will probably not be occupied.

J. F. GARNER.

Faculty of Law,
University of Birmingham.

[Our contributor writes: I regret that in the article referred to I overlooked, when dealing with "The Public Health Act," an amendment of s. 58 (1) of the 1936 Act effected by the 1961 Act in force since 3rd October, 1961. This introduces a simpler procedure when the complaint is of "ruinous or dilapidated condition seriously detrimental to the amenities of the neighbourhood." The local authority may now, without instituting proceedings, require the owner to repair or restore or, if he so elects, to demolish the whole or part—as may be necessary in the interests of amenity (Public Health Act, 1961, s. 27).]

"THE SOLICITORS' JOURNAL," 30th NOVEMBER, 1861

ON 30th November, 1861, THE SOLICITORS' JOURNAL commented on some innovations of Mr. Baron Bramwell: "His Lordship, two or three years ago, was at some pains to do away with . . . the old custom of requiring a witness to remove his glove while being sworn. The general feeling of the community, however, was favourable to the continuance of the usage, because it appeared to be befitting the solemnity in question. For some time past Baron Bramwell has been applying his reforming mind to another solemnity . . . It has been the practice of judges—to our minds a very wholesome and praiseworthy one—when called upon to pass sentence of death upon some wretched criminal . . . 'to improve the occasion' by delivering an address intended at once as a justification of the law, a warning to the wicked, and an adjuration to the prisoner to confession and repentance of his crime . . . Our English public . . . has been in the habit

of considering that the practice indicates not only a decent regard for the value of human life, but also some generous sympathy with suffering humanity, even in its least attractive form. Baron Bramwell, however, appears to think otherwise, and this is the way in which he is reported to have passed sentence, on Wednesday last at the Old Bailey, on Richard Reeve, a youth of eighteen years of age, who was found guilty of the murder of his little sister. We give the report from one of the morning journals: 'Baron Bramwell then put on the black cap, and, addressing the prisoner, said: Richard Reeve, you have been convicted by the jury of the crime of wilful murder, and it appears to me that they could not have done otherwise than find you guilty of that offence. My duty is to pass upon you the sentence of the law for that offence, and that is my only duty. (His lordship then passed the sentence of death in the usual form.)'

REVIEWS

Clerk and Lindsell on Torts. Twelfth Edition. General Editor: A. L. ARMITAGE, M.A., LL.B., of the Inner Temple, Barrister-at-Law. pp. clxxvi and (with Index) 1094. London: Sweet & Maxwell, Ltd. £7 12s. 6d. net.

It would be pure conceit on the part of any reviewer to pretend that he had perused every one or even most of the 1,000-odd pages or the 2,000-odd paragraphs of this massive tome. But then cover-to-cover reading is not the object of a practitioners' reference book, which is what this is *par excellence*. The majority of readers of this journal will already know Clerk and Lindsell in its earlier editions as the place where the answer to any tort problem will be found if there is an answer. In other words, they know both what it is for and what it is like and only require telling how, if at all, it has changed since the preceding edition in 1954. First, there is a new team of editors, strong in numbers (now there are nine of them) and academic repute (with one notable exception, they are all lecturers in law at Cambridge University), and the table of contents indicates which chapters are now the responsibility of whom.

Secondly, certain major alterations in arrangement have been made. For example: separate chapters on vicarious liability, on the effect of death, and on breach of statutory duty now appear; the chapter on dangerous property, premises and things has been split up; and the chapter on notice of action has been replaced by a footnote. Thirdly, apart from major alterations, extensive rewriting has been undertaken by the editors in very many places, in particular in the light of recent developments. So many things have earned a place in this edition by leaving a mark on the law of torts since 1954 that only two of the most important will be mentioned. One is the Occupiers' Liability Act, 1957, which called for, and has got, a virtually new chapter. The other is the very recent decision in the *Overseas Tankship* case (p. 85, *ante*), which has probably sunk *Re Polemis* (see p. 69, *ante*). The resulting position and its complications are both very fully discussed by Mr. R. W. M. Dias in the section on remoteness of damage, and this despite the short notice under which he must have worked. In connection with the *Overseas Tankship* case (now called "the Wagon Mound case" in Clerk and Lindsell) it is interesting to note that Mr. Dias concludes (at para. 335c) that it is open to the Court of Appeal to disregard its own decision in *Re Polemis* if it wishes, for the reasons given in our "Current Topic" at p. 93, *ante*, but unlike our paragraph he does not express a view on the position in lower courts. However, be that as it may, on an appraisal by sample this reviewer can say without hesitation that the reputation of Clerk and Lindsell is bound to be still further enhanced by this latest edition, and deservedly so. The law is stated as at 1st July, 1961.

Legal London. By FELIKS TOPOLSKI and FRANCIS COWPER, with a Foreword by the Rt. Hon. LORD BIRKETT, P.C. pp. xi and 75, and 15 plates. 1961. London: Stevens & Sons, Ltd., for *The Lawyer*. £3 13s. 6d. net.

No admirer of Topolski's drawings who is also interested in the law should allow to pass unfulfilled the opportunity of securing a copy of this book, either by purchase or, perhaps more appropriately, by persuasion of a relative or friend to present it to him as a seasonal gift.

Legal London is certainly skilfully portrayed between the covers of this unusual publication, with its illustrations ranging from the impressive double plate of the Re-Opening of the Law Courts to an Inner Temple Luncheon, and from A Solicitor's Office in Gray's Inn to a Lecture in Lincoln's Inn Old Hall. To give one example of detail, a camera could not improve upon the capturing, for generations of solicitors as yet unadmitted, of the striking impression of Sir Thomas Lund's profile in the Solicitors' Admission Ceremony at The Law Society's Hall.

Readers of this Journal will not need to be persuaded that the text is worth reading, because the volume records that its author is none other than our own Richard Roe, surely by now himself part of Legal England, being also—as Lord Birkett mentions in the Foreword—the historian of Gray's Inn, as well as an accredited House of Lords law reporter. His descriptive and flowing style carries the reader entranced through the pages of the book and back nine centuries in time to the days of William

the Conqueror and William Rufus, in connection respectively with the Court of Arches and the original building of Westminster Hall; forward to the death in 1423 of the never-to-be-forgotten Lord Mayor of London, Sir Richard Whittington, who left money utilised for rebuilding Newgate; and past the construction of the Middle Temple Hall in the reign of the first Queen Elizabeth. On we go as the richness of English legal history unfolds right up to modern times, with the sad story of destruction by air raid, to be followed by post-war reconstruction and royal occasions which somehow link the old with the new. Contemporary descriptions there are whose word portraiture will open the eyes of the less observant as much as the drawings. Let one passage speak for itself:—

"For the stranger the heart of the Temple is Fountain Court with its terrace, its two flights of steps, its sparkling, leaping water, its trees, its mellow red-brick buildings and its domestic spaciousness. The children play, the fountain springs up, the active young cats clamber about the branches of the smaller trees grouped round the circle of water, in which goldfish darkly gleam, and there is a whirr of pigeons' wings."

For a stranger to the law this is indeed an enjoyable and accurate guide. Few lawyers there must be who will not add to their knowledge of legal history by its perusal, and none who will not so increase their appreciation, and see significance and beauty where they saw none before. Our only regret is that there is no reference to the Court of Chivalry; that court with its unusual constitution of the Earl Marshal and the Lord Chief Justice of England (sitting as Assessor and Surrogate) well fits the mood induced in us by turning the pages of this magnificent production.

Forensic Fables. Complete Edition. By "O." With a Foreword by the Rt. Hon. LORD BIRKETT, P.C. pp. xv and (with Index) 456. 1961. London: Butterworth & Co. (Publishers), Ltd. £1 17s. 6d. net.

The great thing about "Forensic Fables" is that they wear so extraordinarily well. They were written and illustrated between the wars by a popular and practical member of the Bar, who happened also to be a man of wit and intelligence, and to this day they tell you more about the actual professional life of barristers and judges than you could gather from a bag full of handbooks and biographies. The early editions of the four original volumes are now almost impossible to come by and the present omnibus edition appears in time to make the most acceptable of Christmas presents. The production is pleasantly in keeping with the mock-naïve form of the old-fashioned "moral tale" in which the fables are cast. (A selected reprint of fifty brought out a dozen years ago was bound like a legal text-book.) The costumes in the illustrations may occasionally have a touch of "period" charm, but most of the subject matter is startlingly topical. The speech of the great lawyer at the young barristers' debating society dinner—have we not all heard it in one form or another? The predicament of the brilliant young barrister whose masterly speech had so much less effect on the jury than the performance of a vulgar counsel with a cockney accent—do we not all know the situation? There is one sad omission in the planning of the book. Why was no room found for a little memoir of "O" himself, Theobald Mathew, who was a most interesting and entertaining individual in his own right? A great deal of his personality is reflected in these "fables" and the frontispiece sketch by Orpen gives posterity his features with lively accuracy, but in gratitude for his book he was entitled to rather more than that by way of a memoir.

Atkin's Encyclopaedia of Court Forms in Civil Proceedings. Volume 4. Second Edition. By the Rt. Hon. LORD EVERSHED, Master of the Rolls. pp. xxix and (with Index) 295. 1961. London: Butterworth & Co. (Publishers), Ltd. £3 8s. net.

Volume 4 of Atkin's Encyclopaedia contains the titles Affiliation and Legitimation Proceedings, Agency, Agriculture, and Animals. The law stated is in general that in force on 1st August, 1961. The general scheme of this edition was reviewed at p. 402, *ante*.

NOTES OF CASES

*These notes are published by arrangement with the Council of Law Reporting. Except in respect of those marked *, full reports of the judgments, revised by the judges, will shortly appear in the Weekly Law Reports. A list of cases reported in today's issue of "W.L.R." is set out at the end of these notes.*

Case Editor: J. D. PENNINGTON, Esq., Barrister-at-Law

Judicial Committee of the Privy Council

REVENUE: NEW ZEALAND: TAXATION OF PROFITS OF LIFE INSURANCE COMPANY

Australian Mutual Provident Society v. Inland Revenue Commissioners

Viscount Kilmuir, L.C., Lord Denning, Lord Morris of Borth-y-Gest, Lord Hodson and Lord Devlin

20th November, 1961

Appeal from the Supreme Court of New Zealand.

The appellant, a mutual insurance society incorporated in Australia and carrying on the business of life insurance in New Zealand, allotted to holders of participating policies there for the year 1955 reversionary bonuses of a face value of £2,929,285, the then cash value of which, calculated according to the "net premium valuation" method, in which it was assumed that the cash allotment would accumulate at the rate of 2½ per cent., was £1,736,492. Had the appellant adopted the "bonus reserve valuation" method, in which a rate of 3½ per cent. is taken, the sum in cash required to provide the £2,929,285 face value of the reversionary bonus was £1,393,619, that was, £342,873 less than by the former method. The Commissioner of Inland Revenue contended that the appellant had made an allotment of surplus funds within the meaning of s. 149 of the Land and Income Tax Act, 1954, of New Zealand, amounting to £1,736,492, and assessed it accordingly. Section 149 provided that where a life insurance company "makes to its policy-holders . . . an annual allotment of surplus funds by way of reversionary bonuses or otherwise, the residue of the surplus funds so allotted . . . after deducting therefrom any income derived by the company in that year and exempt from taxation (whether by virtue of s. 86 of this Act or otherwise howsoever), shall be deemed to be profits derived by the company in that year." By s. 86: "(1) The following incomes shall be exempt from taxation: (1) Dividends . . . derived from shares . . . in companies, other than companies which are exempt from income tax." The appellant submitted that the true allotment was £1,393,619, and that the excess of £342,873 was not an allotment by way of reversionary bonus but an appropriation to an additional or internal reserve. Its objection to the assessment was disallowed by the stipendiary magistrate, whose decision was upheld by the Supreme Court of New Zealand. The appellant appealed.

LORD DEVLIN, giving the judgment, said that on the plain words of the Act the commissioner was concerned not with the allotment or declaration of a particular reversionary bonus but with the allotment of surplus funds; once he had ascertained that a specific sum had been allotted for the provision of reversionary bonuses his task was concluded. The question as to the amount of an allotment was one of fact, and there was evidence to support the concurrent findings of the courts below that the amount actually allotted was £1,736,492. Secondly, there being nothing in the context to suggest otherwise, the words "exempt from taxation" in s. 86 did not cover income which was not within the reach of the New Zealand tax laws. Accordingly, while admittedly the dividends received in 1955 by the appellant on shares in New Zealand companies fell within s. 86 and were deductible under s. 149, dividends received from English and Australian companies did not so fall and were not, therefore, in arriving at the profits on which the appellant

was to be assessed for the year 1955, deductible from the surplus funds allotted. Appeal dismissed.

APPEARANCES: F. N. Bucher, Q.C., and N. A. Morrison (Gregory, Rowcliffe & Co.); H. R. C. Wild, Q.C., S.G. of New Zealand, and Alan S. Orr (Mackrell & Co.).

[Reported by CHARLES CLAYTON, Esq., Barrister-at-Law]

Court of Appeal

SALE OF GOODS: C.I.F. CONTRACT: WHETHER POTATOES FIT TO TRAVEL

Mash & Murrell, Ltd. v. Joseph I. Emanuel, Ltd.

Ormerod, Harman and Pearson, L.J.J. 13th May, 1961

Appeal from Diplock, J. ([1961] 1 W.L.R. 862; p. 468, ante).

The plaintiffs, potato merchants, bought from the defendants, who were also potato merchants, 2,000 half bags of Cyprus spring crop potatoes at 16s. per half bag under a c.i.f. contract made on 8th July, 1957. At that date the potatoes had already been loaded at Limassol, Cyprus, aboard the *Ionian* and were afloat bound for Liverpool. On arrival at Liverpool, the potatoes were found to be affected by soft rot and unfit for human consumption, for which purpose, as the defendants knew, they were required. The plaintiffs sued the defendants for damages for breaches of the terms of the contract implied by s. 14 (1) and (2) of the Sale of Goods Act, 1893, that goods sold by a person who dealt in goods of that description should be fit for the purpose for which they were required and that they should be of merchantable quality. Diplock, J., held that the defendants were in breach of the implied terms and awarded the plaintiffs £1,518 2s. damages. The defendants appealed.

ORMEROD, L.J., said that the plaintiffs had to prove that the potatoes were not fit to travel during a normal voyage when loaded on board ship at Limassol, Cyprus, and that it was an implied term of the contract that they should be fit to travel. Whether there was such an implied term raised an interesting question of law, but it did not arise in the present case because, on the evidence, the plaintiffs had failed to discharge the burden of proving that the potatoes were not in a fit state for travel when loaded at Limassol. The only expert witness called in the case thought that the cause of their ultimate condition was heat asphyxiation due to their being stowed in the hold unventilated for five days. The appeal must succeed on the question of fact.

HARMAN and PEARSON, L.J.J., delivered concurring judgments. Appeal allowed.

APPEARANCES: Ashton Roskill, Q.C., and Michael Kerr, Q.C. (Constant & Constant); T. G. Roche, Q.C., and J. Perrett (Hicks, Arnold & Co.).

[Reported by NORMAN PRIMROSE, Esq., Barrister-at-Law]

PRACTICE: PLAINTIFF'S CASE AS PLEADED NOT PROVED: JUDGMENT FOR PLAINTIFF ON DIFFERENT BASIS

*Pentony v. Air Ministry

Ormerod, Harman and Pearson, L.J.J.

21st November, 1961

Appeal from Pilcher, J.

The plaintiff was injured in the course of his employment by the defendants as a labourer at a maintenance unit. He

claimed damages, alleging in his statement of claim that his injuries were sustained while he was assisting other employees in putting a crate on a hand truck. Pilcher, J., found that the moving of the crate, in the course of which the plaintiff was injured, was a single operation by the plaintiff alone but that the defendants were in breach of their duty to the plaintiff by their lack of supervision and failure to operate a safe system of working in allowing the plaintiff, a small, elderly man, to attempt to move the crate by himself, and he awarded him £400 damages. The defendants appealed.

PEARSON, L.J., said that the plaintiff's case as pleaded and sought to be proved had failed, for Pilcher, J., had found that he was engaged upon a single operation. It had been submitted that the judgment was obtained on a case which had not been pleaded, there being no amendment, and further that there was no breach of duty by the defendants. It was a fundamental principle that a plaintiff must prove his case *secundum allegata et probata*. The plaintiff here was relying upon a fundamentally different case when it was suggested that he was doing a one-man operation when his evidence was on the basis that three men were employed. Had he applied for leave to amend, the defendants could have pleaded contributory negligence. If there was to be an amendment it must be properly asked for and granted. As to whether the plaintiff's case should have succeeded had it been pleaded, it seemed to his lordship that it would be extravagant to blame the defendants for not having a safe system when they had provided all necessary implements and had left the workman with a free choice as to their use. His lordship would allow the appeal.

ORMEROD, L.J., agreed.

HARMAN, L.J., concurring, said that it was unfashionable these days to allow a case to turn on points of pleading, but the pleading point here was one of substance. Appeal allowed.

APPEARANCES: A. C. Bulger (Gouldens); Douglas Draycott (Treasury Solicitor).

[Reported by A. H. BRAV, Esq., Barrister-at-Law]

NEGLIGENCE: DOCTOR: SOCIAL CONTACTS BY PSYCHIATRIST WITH PATIENT

*Landau v. Werner

Sellers, Upjohn and Diplock, L.JJ. 22nd November, 1961

Appeal from Barry, J. (p. 257, ante).

In March, 1949, a psychiatrist undertook the treatment of the plaintiff, a middle-aged single woman in an anxiety state. Consultations took place twice a week in the doctor's consulting rooms, psychotherapeutic treatment of an analytical nature being given. By the end of July the plaintiff was much better, but felt that she had fallen deeply in love with the doctor and told him that for that reason she had decided not to continue with the treatment. The doctor thought she was not yet well and between August, 1949, and March, 1950, took her out to tea and dinner in restaurants on a number of occasions and visited her once in her bed-sitting room; there were also conversations between them about spending a holiday together. By March, 1950, the plaintiff's condition had deteriorated and the doctor resumed formal treatment but finally abandoned it as of no avail. The plaintiff's mental condition deteriorated to such an extent that she became incapable of work. In an action for damages against the doctor she alleged that her illness was due to professional misconduct and negligence. Barry, J., absolved the doctor from all charges of professional misconduct but held him negligent in entering into a social relationship with the plaintiff. He awarded the plaintiff £6,000 damages. The doctor appealed. The sole issue in the appeal was whether the doctor's conduct or treatment between August, 1949, and March, 1950, had been negligent.

SELLERS, L.J., said that the real question was whether the social meetings, and the discussion about a holiday together, were bad and negligent practice in the sphere of medicine in which the doctor worked. That was a matter of medical evidence from those versed in this specialised branch of medicine. A doctor's duty was to exercise ordinary skill and care according to the ordinary and reasonable standards of those who practised in the same field of medicine. The standard for the specialist was the standard of the specialists, and a doctor was not negligent if he had acted in accordance with a practice accepted as proper by a responsible body of medical men skilled in that particular art. He would add that a doctor might not be negligent if he tried a new technique but if he did he must justify it before the court. If his novel or exceptional treatment had failed disastrously he could not complain if it was held that he went beyond the bounds of due care and skill as recognised generally. Success was the best justification for unusual and unestablished treatment. Here the medical evidence was all one way in condemning social contacts and the doctor had failed to convince the judge that his departure from standard practice was justified and was a reasonable development in this young science. The judge was justified in his view that this unwise treatment had led to the grave deterioration in the plaintiff's health. It was negligent and in breach of the duty of the doctor to his patient. The damages were not excessive and he would dismiss the appeal.

UPJOHN and DIPLOCK, L.JJ., delivered concurring judgments.

APPEARANCES: John Foster, Q.C., and John Spokes (Le Brasseur & Oakley); G. R. F. Morris, Q.C., and James Dunlop (David J. Griffiths).

[Reported by Mrs. E. M. WELLWOOD, Barrister-at-Law]

LEAVE TO APPEAL TO LORDS ON LAW: CROWN HELD TO CONCESSION NOT TO APPEAL ON FACT

*Rennell v. Inland Revenue Commissioners

Lord Evershed, M.R., Donovan and Danckwerts, L.JJ.

23rd November, 1961

Application.

On 30th October, 1961 (p. 948, ante) the Court of Appeal dismissed an appeal by the Crown from a decision of Buckley, J. that a settlement of £450,000 on discretionary trusts, made by a settlor in March, 1956, and stated to be in consideration of the marriage of his daughter and one C. F., but made for the benefit of a large class of persons not all of whom were within the marriage consideration, was exempt from estate duty on the death of the settlor less than five years from the date of the settlement, by virtue of the provisions of s. 59 (2) of the Finance (1909-10) Act, 1910. When the Crown sought leave to appeal to the House of Lords, the court pointed out that they had affirmed the finding of the trial judge on the question of fact that the transaction was not "colourable" but was on the evidence made in consideration of the marriage in question, and asked whether the Crown sought to appeal on the question of fact as well as on the question of law. Counsel for the Crown, after taking instructions, stated that the Crown would seek to appeal only on the question of law. The court thereupon gave leave to appeal, limited to the question of law. On 23rd November, the Crown applied to be relieved of that restriction since, without suggesting that any part of the transaction was "colourable" in the sense of "improper" or "untrue," it was desired to argue that on the evidence the marriage was the occasion of the settlement rather than the consideration for it.

LORD EVERSHED, M.R., said that he had recently been informed by the House of Lords that it was competent for the Court of Appeal to impose conditions in giving leave to

When testators ask your advice...

Please remember St. Dunstan's

For your convenience a specimen form of bequest is appended:

"I GIVE to St. Dunstan's, the Organisation for men and women blinded on war service, whose headquarters are at 191, Marylebone Road, London, for its general purposes the sum of £ _____ free of duty, the receipt of the Honorary Treasurer or the Secretary for the time being of St. Dunstan's to be a good discharge for the same."

St. Dunstan's continues to rely
entirely on voluntary funds and has not been taken
over under the National Health Service.

For further particulars write to

THE LORD FRASER OF LONSDALE (Chairman)
St. Dunstan's, 1 South Audley Street, London, W.1

St. Dunstan's is registered in accordance with the National Assistance Act 1948

SPINK & SON, LTD.

5, 6 & 7 KING STREET, ST. JAMES'S, LONDON, S.W.1
Tel: WHItchall 5275 Cables: Spink, London.
EST. 1772

VALUATIONS FOR PROBATE AND INSURANCE

and Buyers of:

ANTIQUE SILVER, JEWELLERY,
ORIENTAL WORKS OF ART,
COINS, MEDALS & DECORATIONS,
FINE FRENCH PAPERWEIGHTS,
ENGLISH PAINTINGS & DRAWINGS,
EGYPTIAN & CLASSICAL
ANTIQUITIES



A problem for executors—

THE ESTATE WITH FOREIGN ASSETS

If you are dealing with estates containing assets situated in any of the following territories, we can help you to obtain a Grant there. Enquiries about this service are welcomed.

South Africa

South West Africa

Southern Rhodesia

Northern Rhodesia

East Africa

British West Indies

BARCLAYS BANK D.C.O.

TRUSTEE DEPARTMENT

54 Lombard Street, London, E.C.3

LAW FIRE INSURANCE SOCIETY LIMITED

No. 114, Chancery Lane, London, W.C.2

Telephone No.: HOLborn 0241

ALL CLASSES OF
FIRE AND ACCIDENT INSURANCE
ADMINISTRATION AND OTHER BONDS
INDEMNITIES
IN CONNECTION WITH
BREACHES OF COVENANT, LOST DOCUMENTS, DEFECTS IN TITLE, ETC

Directors:

LANCELOT CLAUDE BULLOCK, Esq. (formerly of Markby, Stewart & Wadesons), Chairman
STEPHEN FRANCIS VILLIERS-SMITH, Esq. (Lee & Pembertons), Vice-Chairman

ARTHUR JOHN BIRD, Esq. (Peake & Co.)
CHRISTOPHER W. BOWER, Esq. (Bower, Cotton & Bower)
PHILIP DAVID CHILDS, Esq., J.P. (Bramson & Childs)
R. R. B. CHILLCOTT, Esq. (Van Sommer, Chilcott, Kitcat & Clark)
HAROLD SAVIGNY CLEMONS, Esq. (Morrell, Peel & Gamlen)
GEOFFERY COODE-ADAMS, Esq. (Williams & James)
ARTHUR COWDRY, Esq. (Raymond-Barker, Nix & Co.)
CHARLES JOSEPH EASTWOOD, Esq., J.P. (W. Banks & Co.)
JOHN DUCKETT FLOYD, Esq. (Frere, Cholmeley & Nicholsons)
JAMES LOUIS THEODORE GUISE, Esq. (Hunters)
PHILIP Gwynne JAMES, Esq. (Gwynne James & Ealand)
PATRICK GRAHAM TOLER KINGSLEY, Esq., C.V.O.
SIR THOMAS GEORGE LUND, C.B.E.
RAMSAY LLEWELYN IVES NARES, Esq. (formerly of Francis & Crookenden)
BEAUCHAMP STUART PELL, Esq. (May, May & Deacon)
FREDERICK JOHN OLIVER PRESCOTT, Esq. (Foyer, White & Prescott)
NOEL RICHARDSON, Esq. (Ivens, Morton & Greville-Smith)
EDWARD HUGH LEE ROWCLIFFE, Esq. (Gregory, Rowcliffe & Co.)
RUDYARD HOLT RUSSELL, Esq. (Rider, Heaton, Meredith & Mills)
GEORGE ERNEST SHRIMPTON, Esq. (formerly of Radcliffes & Co.)
CYRIL FREDERICK SIMMONDS, Esq., J.P. (Simmonds, Church Rackham & Co.)
CECIL DUNSTAN WEBB, Esq. (formerly of Farrer & Co.)
FORBES SPOTTISWOODE WEIR, Esq. (A. F. & R. W. Tweedie)
IAN DAVID WILSON, Esq. (Peschey & Co.)
STUART HENRY MOREAU WILSON, Esq. (Dawson & Co.)

Solicitors—Markby, Stewart & Wadesons

appeal. Counsel for the Crown said that in tax cases there were mixed questions of law and fact and it would be embarrassing for the Crown to argue this case with this restriction placed on it: there was apparently no precedent in a revenue case for the imposition of a condition of this kind. Counsel for the trustees opposed the application.

LORD EVERSHED, M.R., said that in all the circumstances the court felt that if the Crown desired to be relieved from the concession made it should apply to the Appeal Committee. Application refused.

APPEARANCES: Sir Reginald Manningham-Buller, Q.C., A.-G., Reginald W. Goff, Q.C. and E. Blanshard Stamp (Solicitor, Inland Revenue); E. I. Goulding, Q.C. (Farrer & Co.).

[Reported by Miss M. M. Hill, Barrister-at-Law]

LANDLORD AND TENANT: COVENANT NOT TO KEEP ANIMAL "AFTER ANY OBJECTION": DISCRETION TO REFUSE INJUNCTION

Studleygrange Property Co., Ltd. v. Vare

Holroyd Pearce, Willmer and Davies, L.J.J.

23rd November, 1961

Appeal from Clerkenwell County Court.

The tenant of a rent-controlled flat held it on the terms of an agreement that she would observe the general regulations governing the flats. Regulation 9 provided that the tenant should not do or permit to be done in her suite anything which might reasonably be considered to tend to the annoyance of the landlords or other tenants or "keep any animal or animals in her suite after any objection made by and communicated to her by the company." The tenant kept in her flat a neutered female cat called Minnie. In 1960, the landlords' manager was made aware of a smell near the tenant's entrance which he thought emanated from the cat Minnie. He caused two letters to be written objecting to Minnie because of the smell. The tenant continued to keep the cat. The landlords issued a summons alleging, first, that the tenant wrongfully kept a cat which made an offensive smell such as to tend to the annoyance of the company and other tenants, and, secondly, that by the letters they had complained about the smell and nuisance and objected to her keeping the cat in her flat, and that by continuing to keep it she was in breach of reg. 9; and they asked for an injunction and damages. At the trial evidence was called which cleared the cat of all allegations as to smell. The judge held that reg. 9 did not entitle the landlords to object to the cat without any reasonable ground and that, even if there had been a technical breach of reg. 9, he would in the exercise of his discretion have refused an injunction. The landlords appealed.

HOLROYD PEARCE, L.J., said that the landlords' letters were making an objection on the ground of smell and nothing else. The clear meaning of reg. 9 was that the objection must be reasonable and bona fide; and when it was found to have been based entirely on a misapprehension as to the cat and the smell, it was impossible to maintain that the objection was reasonable or even bona fide. The regulations must be construed in their ordinary meaning. They were intended to be read and understood by tenants, and they had the serious aspect that a tenant who broke them, despite the protection of the Rent Acts, would be evicted. The judge was entitled on the facts to take the view that the objection had no reasonable ground to support it. As to the refusal of the discretionary remedy of an injunction, if a tenant flouted a landlord the court would in general grant an injunction, even if the breach were trivial. But here there was no question of flouting the landlord. To the end the tenant had accurately defended an untruthful allegation against her cat. Even if there had been a technical breach by the

tenant, in the peculiar circumstances of the case, where the whole gravamen of the landlords' attack had been based on the smell which was proved to be unfounded, the judge was entitled in his discretion to refuse an injunction. The appeal should be dismissed.

WILLMER and DAVIES, L.J.J., delivered concurring judgments. Appeal dismissed.

APPEARANCES: J. Platts-Mills (G. L. Leigh); Ralph Millner (Seifert, Sedley & Co.)

[Reported by Miss M. M. Hill, Barrister-at-Law]

Queen's Bench Division

LANDLORD AND TENANT: BUSINESS PREMISES: TENANT REMAINING IN POSSESSION AFTER NOTICE TO QUIT: VALIDITY OF NOTICE

Rainsbury and Another v. Bass

Widgery, J. 12th October, 1961

Action.

By a tenancy agreement of 21st April, 1958, landlords let a lock-up shop to the tenant for three years from 13th October, 1957, at a rent of £325 a year. On 1st November, 1960, the landlords served a notice under the Landlord and Tenant Act, 1954, to terminate the tenancy on 3rd May, 1961. The tenant continued in possession and paid the rent, but did not apply to the court for a new tenancy under the Act of 1954. On the landlords' claim for possession, the tenant by his pleaded defence alleged that on the expiry of the contractual term on 13th October, 1960, he became a tenant from year to year, and that no effective notice to determine the tenancy had been given. On the hearing of the action, the tenant did not appear and was not represented. The original notice served on the tenant was thus not produced, and the carbon copy of the notice produced on behalf of the landlords was on the statutory form issued in 1954. That form did not comply in all respects with Form 7 in the Schedule to the Landlord and Tenant (Notices) Regulations, 1957, which applied to notices served on or after July, 1957, and differed from the earlier form in that note 5—which provided that there should be compensation for the tenant in certain circumstances—had the following additional words in parentheses at the end of the note: "(No compensation can be claimed unless the tenant has applied to the court for a new tenancy.)" On the evidence there was some doubt as to whether the form served on the tenant had been in the 1954 form or the 1957 form.

WIDGERY, J., said that where a tenant remained in possession of business premises at the expiry of the contractual term under a tenancy subject to Pt. II of the Act of 1954, and continued to pay rent as before, the correct *prima facie* inference was not that a new yearly tenancy had been created by the parties, but that the tenant's continuance in possession was attributable only to the statutory extension of his tenancy. It followed that the landlords were in a position, on 1st November, 1960, to serve the notice determining the tenancy. On the question whether the notice, if it had been served in the 1954 form, was valid or not, his lordship was satisfied that the 1954 form was "substantially to the like effect" as required by reg. 4 of the regulations of 1957, since the additional phrase as to claims for compensation did not add anything to that already contained in the notice, but merely rendered explicit what was already implicit. Accordingly the notice served was valid to determine the tenancy, and the landlords were entitled to possession. Judgment for the landlords.

APPEARANCES: Walter Gumbel (Finnis, Downey, Linnell & Price).

[Reported by Miss M. M. Hill, Barrister-at-Law]

**LOCAL GOVERNMENT: SURCHARGE BY
DISTRICT AUDITOR: WHETHER COUNCILLORS'
ACTION REASONABLE**

**Annison and Others v. District Auditor for St. Pancras
Borough Council and Another**

Taylor and Others v. Same
Lord Parker, C.J., Ashworth and Veale, JJ.

18th October, 1961

Application under s. 230 of the Local Government Act, 1933.

A local authority, by resolution dated 19th March, 1958, resolved that ". . . the whole of the valid rent increases under the Rent Act, 1957, in regard to all tenancies of formerly requisitioned properties to owners under s. 4 of the Requisitioned Houses and Housing (Amendment) Act, 1955, be borne by the council." In passing that resolution, the council adopted the housing management committee's report, from which it appeared that two reasons for the decision were that, as it was impossible to consider individual cases without investigating the tenant's income, which they were not prepared to do, the matter should be dealt with as one of policy, and that, as the rents were originally fixed on a fair and reasonable basis, they saw no reason for raising them and were satisfied that by meeting the whole of the increases they would not be placing an unduly heavy burden on the rates. The council had been advised by the town clerk against that action and had had their attention drawn to circulars suggesting what course should be taken. The district auditor considered that the local authority, by omitting to make determinations under s. 4 (4) of the Act of 1955, or to make such inquiries as might properly and reasonably have justified that omission, acted in a manner which was contrary to law, and had thereby negligently incurred expenditure which he fixed at £1,400, and disallowed and surcharged jointly upon twenty-three members of the council. Twenty of the members applied for a declaration under s. 230 (1) of the Local Government Act, 1933, that they had acted reasonably and for relief from personal liability under s. 230 (2).

LORD PARKER, C.J., said that once a declaration was made under s. 230 (1) of the Local Government Act, 1933, two things followed; first, any disqualification imposed by Pt. II of the Act as the result of the surcharge was automatically avoided, and secondly, the court could then consider whether the applicant ought fairly to be excused in whole or in part from personal liability for the surcharge. The court was given a wide discretion in considering relief from personal liability, and should take into consideration all the circumstances, including the means of the applicant, the fact that if relieved the amount would fall on the general body of the ratepayers and also the conduct of the applicant. The court had three alternatives open to it: to make no declaration at all; to make a declaration but not relieve the applicant from personal liability; or to make a declaration and relieve the applicant from personal liability. His lordship had come to the conclusion that all the applicants honestly believed that what they did was authorised by law, and that there was "proper ground" in all their cases for making a declaration. Their conduct, however, could not lightly be excused, for they had ignored the advice of the town clerk, and the circulars from the Ministry. His lordship was not satisfied that they ought fairly to be excused, and relief from personal liability under subs. (2) should not be granted.

ASHWORTH and VEALE, JJ., agreed. Declarations accordingly.

APPEARANCES: D. Turner-Samuels (Gaster & Turner); Norman King (Sharpe, Pritchard & Co.); R. J. Parker, Q.C. (Hanne & Co.); John Ryman (Town Clerk, St. Pancras Borough Council).

[Reported by G. L. PIMM, Esq., Barrister-at-Law] [3 W.L.R. 1148]

**CONTRACT: EXEMPTION CLAUSE: NEGLIGENT
ACT OF SERVANT: WHETHER FUNDAMENTAL
BREACH**

**A. F. Colverd & Co., Ltd. v. Anglo-Overseas Transport
Co., Ltd.**

Barry, J. 20th November, 1961

Action.

The plaintiffs, a firm of watch importers, contracted with the defendants, shipping and forwarding agents, that the defendants should collect goods from London Airport and deliver them to the plaintiffs' office. Under the contract the defendants were exempt from liability for loss or damage, unless the goods were in their actual custody, under their actual control and they had been guilty of wilful neglect. On 22nd February, 1961, the defendants, as was their practice, hired a van with a driver from a third party to collect a crate of Swiss watches, valued at about £4,200, belonging to the plaintiffs from London Airport. On 24th February the driver, after locking the body of the van, but not the van driver's door, and after removing the ignition key, left the van with the watches inside it parked in the street during his forty-minute lunch. The van was stolen. The plaintiffs sued for the value of the watches.

BARRY, J., said that the exempting condition would not apply if the defendants were guilty of a fundamental breach of the contract. They were entitled to rely on the driver's employers to give him instructions about locking the van. The defendants were vicariously liable for the negligence of the driver but, as it was an isolated act, it did not amount to a fundamental breach of the contract, so that the exempting condition operated to exempt the defendants from liability. Judgment for the defendants.

APPEARANCES: Neville Faulks, Q.C., and James Miskin (Beale & Co.); J. Stephenson, Q.C., and J. S. Wordie (Clyde & Co.).

[Reported by Miss H. STEINBERG, Barrister-at-Law]

**LANDLORD AND TENANT: NOTICE TO QUIT
SMALL TENEMENT: NOTICE OF INTENDED
APPLICATION SIGNED BY HOUSING MANAGER**

R. v. Forest Justices; ex parte Dallaire

Lord Parker, C.J., Ashworth and Stevenson, JJ.

20th November, 1961

Application for certiorari.

On 12th January, 1961, the applicant was served by the local authority with a notice to quit signed by the clerk to the authority. On 16th March, 1961, she was served with a notice of the local authority's intention to apply to the justices for an ejectment warrant. That notice was signed by the housing manager. Both notices were served under the provisions of the Small Tenements Recovery Act, 1838, applied to the premises by s. 158 (2) of the Housing Act, 1957. On 28th March, 1961, the justices issued an ejectment warrant. The applicant applied for an order of certiorari to quash the warrant on the ground that the notice of intended application should have been signed by the clerk or his lawful deputy in accordance with s. 166 (2) of the Housing Act, 1957. The local authority contended that the notice was valid since under the Act of 1838, under which it had been served, a notice could be signed by the landlord or his agent.

LORD PARKER, C.J., said that this was a borderline case and a matter of first impression. Section 166 (2) of the Act of 1957 did not apply where the claim to possession was made under the Act of 1838. The words used were general and should be read as covering notices served in pursuance of powers contained in the Act of 1957. Section 158 (2) of the Act of 1957 was self-contained and its words did not suggest that it was intended to make s. 166 (2) applicable to notices

Topolski's



LEGAL LONDON

Text by Francis Cowper

A superb volume to delight lawyers and fascinate laymen. Illustrated by Feliks Topolski, whose selective eye and penetrating observation have captured both the common scenes and brilliant ceremonies of the legal year.

'It was most fitting that *The Lawyer* should commission Mr. Feliks Topolski to capture something of the charm of Legal London and enshrine it in some of his famous drawings, and that Mr. Francis Cowper, the historian of Gray's Inn, should write the commentary to go with the pictures . . . It is with a very special feeling of gratitude that I find in these pages all those features of Legal London so faithfully and, if I may say so, so lovingly recorded.' *From the Foreword* by THE RT. HON. LORD BIRKETT, P.C.

PUBLISHED FOR THE LAWYER

15 illustrations in colour. Mounted copies may be purchased separately for framing.

10 x 15 ins.

3½ gns. net

Stevens & Sons

11 NEW FETTER LANE, LONDON, E.C.4

Lawyer's Companion and Diary 1962

The Diary contains all the useful information required for everyday practice, and a directory of Judges, Counsel, London and Country Solicitors, etc. Under each town are shown the appropriate County Court and Bankruptcy Court—a feature that will readily be appreciated by the busy practitioner. There is also a mass of information relating to Government Offices, Costs and Fees, and Tables of Death Duties, Income Tax, Annuities, Interest, Repayment of Loans, etc., with a Diary containing Memoranda of Legal Business throughout the year.

No. 1 A Day to a Page

£1 17s. 6d. (3s. postage)

No. 2 A Week at an Opening

£1 12s. 6d. (3s. postage)

Edited by W. H. REDMAN and L. C. E. TURNER

Now available

Diary for Lawyers 1962

This Diary contains 200 pages of useful legal information. It is of a handy size and is handsomely bound in cloth. The Diary section is printed on superfine writing-paper.

One Day to a Page, ruled

£1 10s. 2d. (2s. 9d. postage)

Edited by W. H. REDMAN

Now available

Industrial Injuries

This is an important new work which puts the whole, highly complex law relating to payments for industrial injuries and industrial diseases into language which can be readily understood.

Volume 1, after outlining the common law remedies and workmen's compensation, proceeds to clarify the great mass of detailed information derived from the National Insurance (Industrial Injuries) Acts, the statutory instruments made thereunder and the very numerous decisions of the Minister, the Tribunals, the Commissioner and the Courts. In Volume 2 the decisions are digested and classified under the same headings as are used in Volume 1.

This is the first time that a work of this scope has been published on the subject of industrial injuries, and it will therefore get a ready welcome from all who may at any time have to advise or act in an industrial injury case.

by Horatio Vester,

of Gray's Inn and the Oxford Circuit, Barrister-at-Law

and Hilary Ann Cartwright,

of the Middle Temple and the Western Circuit, Barrister-at-Law

2 volumes Ready December £3 3s. net (2s. 6d. postage)

SWEET & MAXWELL STEVENS & SONS

11 NEW FETTER LANE, LONDON, E.C.4

Please mention "THE SOLICITORS' JOURNAL" when replying to Advertisements

Just Published

THE SOLICITOR'S GUIDE TO DEVELOPMENT AND PLANNING

THIRD EDITION

By R. N. D. HAMILTON

Solicitor

Deputy Clerk of the Buckinghamshire County Council

A revised and up-to-date edition. The Guide is designed to provide practical assistance to solicitors when advising clients interested in land which may be affected by the post-war planning legislation. The valuable chapter on the effects of planning on conveyancing practice has been brought up to date in the light of the changes and developments since 1955.

47s. 6d. net post paid

AN ESTATE DUTY NOTEBOOK

THIRD EDITION

By G. B. GRAHAM

Barrister-at-Law

This outstanding successful practical guide for use in the everyday small or medium-sized estate has been extensively re-written and brought up to date. While not exhaustive it gives the best possible help in the clearest and most concise fashion.

25s. net post paid

THE SOLICITORS' LAW STATIONERY SOCIETY, LIMITED
OYEZ HOUSE BREAMS BUILDINGS FETTER LANE EC4

Please mention "THE SOLICITORS' JOURNAL" when replying to Advertisements

under the Act of 1838. The notice of intended application was therefore properly signed by the housing manager.

ASHWORTH, J., dissenting, said that s. 166 (2) of the Act of 1957 clearly stated that a notice should be signed by the clerk or his lawful deputy, and it should be read in conjunction with s. 158 (2) so as to apply to notices under the Act of 1838. No hardship would arise if the clerk who signed the notice to quit also signed the notice of intended application for a warrant. The Act of 1957 should be regarded as having amended the Act of 1838, so as to invalidate a notice signed by the housing manager.

STEVENSON, J., agreed with the judgment of Lord Parker, C.J. Application dismissed.

APPEARANCES: *Henry Newman (Leslie A. Fawke); J. K. Wood (Martin, Nicholson, Hortin & Nash, for O. J. C. Wellbelove, Reading).*

[Reported by Miss H. STEINBERG, Barrister-at-Law]

OCCUPIERS' LIABILITY: COMMON DUTY OF CARE: LATENT DEFECT UNKNOWN TO LANDLORD

**Turner v. Waterman*

Veale, J. 23rd November, 1961

Action.

A tenant was injured when a floorboard broke on the landing of a staircase adjacent to a part of the staircase replaced by the landlord due to dry rot. The floor board broke because of dry rot, but the landlord did not know that the landing had also been infected. The tenant sued the landlord for damages, alleging breach of the "common duty of care" owed to all visitors.

VEALE, J., said that a reasonable landlord ought to have known that wood near to wood which was infected with dry rot was likely itself to become infected. Even if the wood appeared to be strong, the landlord should have inspected it frequently to ensure that it remained in that condition. The landlord, therefore, had been guilty of a breach of the "common duty of care" owed to all visitors. Judgment for the plaintiff.

APPEARANCES: *H. Lester (Darracotts); B. Finlay (Davies, Arnold & Cooper).*

[Reported by Miss H. STEINBERG, Barrister-at-Law]

Probate, Divorce and Admiralty Division

DIVORCE: PETITIONER'S FAILURE TO DISCLOSE ADULTERY: WHETHER DECREE NISI SHOULD BE MADE ABSOLUTE

**Darby v. Darby (Queen's Proctor showing cause)*

Hewson, J. 17th November, 1961

Undefended divorce suit.

The parties were married in 1954. In April, 1959, the husband filed a petition for divorce on the grounds of adultery and desertion, and in July, 1959, in an undefended suit, was granted a decree nisi. The husband did not ask for the discretion of the court and did not disclose that at the time of filing the petition and of the hearing he was living with and committing adultery with another woman, by whom he had had a child. Two months after the granting of the decree nisi and as a result of the co-respondent threatening to reveal the situation, the husband informed his solicitors of his adulterous association. At the subsequent hearing, in which the Queen's Proctor showed cause why the decree nisi should not be made absolute, the husband filed a discretion statement but in it he failed to disclose that there was a second child of his continuing adulterous association.

HEWSON, J., said that there was no excuse for the husband's behaviour. The court must be treated with full and complete frankness in all matters connected with matrimonial affairs. His lordship had no doubt that the husband and the woman with whom he was living had discussed this matter before the hearing in July, 1959, and that the woman had impressed upon the husband how upset her parents would be if the truth came out. But the court was very jealous of the truth. Nevertheless, considering all the circumstances, his lordship was prepared to exercise his discretion and to let the decree nisi stand. In doing so he bore in mind the fact that it was public policy that people should not be encouraged to live in an immoral union and that the position of any children of such a union was of paramount importance. But the necessity of telling the truth to the court was also a matter of public policy and must not be neglected by the parties who came before it. Order accordingly.

APPEARANCES: *A. B. Hollis (Dale & Newbery, Staines); Nigel Curtis-Raleigh (Queen's Proctor).*

[Reported by Miss MARGARET BOOTH, Barrister-at-Law]

DIVORCE: INCURABLE UNSOUNDNESS OF MIND: STANDARD OF PROOF

**Greer v. Greer (by her guardian)*

Mr. Commissioner Latey, Q.C. 20th November, 1961
Suit for divorce.

A husband petitioned for divorce on the ground of the wife's incurable unsoundness of mind. The Official Solicitor, as the wife's guardian ad litem, filed an answer denying that the wife was incurably of unsound mind. The medical superintendent of the mental hospital in which the wife had been a certified patient since 1936, suffering from schizophrenia, when asked his opinion of the wife's mental condition, said that it was most unlikely that she would make a full social recovery. The wife was fifty-six years of age. His lordship, stating that he was unable, on the evidence, to grant a decree nisi, adjourned the hearing. At the resumed hearing, a consultant psychiatrist stated that in his opinion the wife was an improved, "burned out" schizophrenic, still showing residua of the illness, for which there was no medical cure, and unlikely to be substantially improved by further rehabilitation and re-training, and she would remain of unsound mind. The chances of recovery were infinitesimal and it was reasonable to express the view that the wife was incurably of unsound mind.

Mr. Commissioner LATEY said that the further evidence had satisfied him that the wife was, at the present time, incurably of unsound mind. It was important to observe that, in view of the changes which had taken place in recent years in the treatment of mental disorders, changes which were reflected in the changes in the law effected by the Mental Health Act, 1959, the relatively slight evidence of incurability which would have sufficed twenty years ago to establish the ground for relief could no longer be safely relied upon. The husband would be granted a decree nisi.

APPEARANCES: *Peter Archer (Geddes, Young & Co.); B. H. Pearce (Official Solicitor).*

[Reported by D. R. ELLIOTT, Esq., Barrister-at-Law]

DIVORCE: BIRTH OF CHILD NINE MONTHS AFTER DECREE ABSOLUTE: WHETHER A PRESUMPTION OF LEGITIMACY

Knowles v. Knowles

Wrangham, J. 21st November, 1961

Issue as to paternity.

On 22nd May, 1957, a wife was granted a decree nisi of divorce on the ground of the husband's desertion. On

5th July, 1957, that decree was made absolute. On 19th April, 1958, the wife gave birth to a child. By a notice dated 9th November, 1959, the wife applied to the court for maintenance for the child, on the basis that the child was a child the marriage of whose parents was the subject of the proceedings. The husband denied that he was the father of the child. An issue was directed to be tried to determine whether the husband was the child's father.

WRANGHAM, J., said that there was a presumption, strong but rebuttable, that a child born to a married woman in wedlock, or conceived by her during wedlock, was a child of her husband. The presumption applied just as much whether the spouses were living together, or were separated by agreement, or by deed, or were simply living apart, or even where the wife had obtained a maintenance order from magistrates, unless the order contained a non-cohabitation clause. The presumption ceased if the parties were separated under an order of the court, such as a decree of judicial separation, or under a separation order made by magistrates. The basis of the presumption was that the law contemplated spouses fulfilling their mutual duties to each other, including the duty to live together, unless there was an order of the court dispensing with the performance of those duties. Neither the presentation of a petition for divorce nor the pronouncing of a decree nisi of divorce absolved the spouses from the duty to live together imposed on them by the marriage. There was therefore a presumption that this child was conceived before, rather than after, decree absolute, and that the husband was the father of the child. Applying that presumption to the facts and evidence in the present case, his lordship held that the child was conceived in the month of June, 1957, and that the husband was the father. It followed that the court had jurisdiction to make orders in the suit for custody and maintenance in respect of the child. Judgment for the wife.

APPEARANCES: *Basil Garland (P. Lupton, The Law Society); Peter Weitzman (Alwyn Williams & Co.)*.

[Reported by D. R. ELLISON, Esq., Barrister-at-Law]

DIVORCE: DECREE NISI: QUEEN'S PROCTOR SHOWING CAUSE: NO ANSWER: RESCISSION WITHOUT EVIDENCE

Clutterbuck v. Clutterbuck and Reynolds (Queen's Proctor showing cause)

Baker, J. 22nd November, 1961

Motion to rescind decree nisi and to dismiss petition.

On 10th October, 1960, the husband was granted, in an undefended suit, a decree nisi of divorce on the ground of the

wife's adultery with the co-respondent. On 4th August, 1961, the Queen's Proctor entered an appearance in the suit and on 15th August, 1961, he filed a plea alleging that the decree nisi was obtained contrary to the justice of the case, in that between April and June, 1960, the husband had committed adultery with a named woman, but that fact had not been brought to the notice of the court hearing the suit. No answer to the Queen's Proctor's plea having been filed, the Queen's Proctor moved the court to rescind the decree nisi and dismiss the petition. No affidavit of evidence was filed in support of the motion.

BAKER, J., said that counsel appearing on behalf of the Queen's Proctor had informed him that it was not the practice to require evidence in support of a motion by the Queen's Proctor to rescind a decree nisi, where no answer denying the allegations contained in the Queen's Proctor's plea had been filed. There was a statement to that effect in *Rayden on Divorce*, 8th ed., p. 673, and two cases, *Sheldon v. Sheldon (Queen's Proctor intervening) (1865)*, 4 Sw. & Tr. 75, and *Crowden v. Crowden (King's Proctor showing cause) (1906)*, 23 T.L.R. 143, were cited in support of the statement. The decree nisi would be rescinded and the petition dismissed. The husband would be ordered to pay the Queen's Proctor's costs.

APPEARANCES: *Brian Neill (Queen's Proctor).*

[Reported by D. R. ELLISON, Esq., Barrister-at-Law]

THE WEEKLY LAW REPORTS CASES INCLUDED IN TODAY'S ISSUE OF W.L.R.

	Vol.	Page
Abbott v. Refuge Assurance Co., Ltd. (p. 949, ante)	3	1240
A.-G. v. Crayford Urban District Council (p. 968, ante)	3	1198
Brewer v. Brewer (p. 948, ante)	3	1208
Clabon v. Clabon (p. 384, ante)	1	1439
Duke v. Director of Public Prosecutions	1	1434
Hedley Byrne & Co., Ltd. v. Heller & Partners, Ltd. (p. 910, ante)	3	1225
Hilder v. Associated Portland Cement Manufacturers, Ltd. (p. 725, ante)	1	1434
L v. L (p. 930, ante)	3	1182
R. v. Baker	3	1205
R. v. Duke (p. 891, ante)	3	1194
Zamet v. Hyman (p. 911, ante)	1	1442

IN WESTMINSTER AND WHITEHALL

ROYAL ASSENT

The following Bills received the Royal Assent on 22nd November:—

**Southern Rhodesia (Constitution)
Tanganyika Independence**

HOUSE OF LORDS

A. PROGRESS OF BILLS

Read First Time:—

Export Guarantees Bill [H.C.]

[21st November.]

Read Second Time:—

Expiring Laws Continuance Bill [H.C.] [23rd November.]

Licensing (Scotland) Bill [H.L.]

[21st November.]

In Committee:—

Criminal Justice Administration Bill [H.L.]
[23rd November.]

B. DEBATE

QUALIFICATION FOR JUDICIAL APPOINTMENT

On the Committee stage of the **Criminal Justice (Administration) Bill** an amendment was moved to cl. 1 providing that at least two of the additional judges to be appointed under the clause should be appointed from among county court judges and stipendiary magistrates. A further amendment, that solicitors of not less than ten years' standing should be eligible for a High Court judgeship, was discussed at the same time.

LORD SILKIN said that the country was not making the best use of its available legal capacity. We now had very large and important firms of solicitors whose partners were men of great wisdom, experience, legal knowledge, integrity and objectiveness who were as well qualified to form part of the judiciary as the

REGISTER OF AUCTIONEERS, VALUERS, SURVEYORS, LAND AND ESTATE AGENTS

LONDON

CITY OF LONDON

BRIGHTWELL & MADDOCK, 29 Ludgate Hill, E.C.4.
Tel. CITY 1962/6781.
CHAMBERLAIN & WILLOWS, 23 Moorgate and
58 Coleman Street, E.C.2. Tel. METropoltan 8001
(10 lines).
DEBNHAM, TEWSON & CHINNOCKS, 8 Telegraph
Street, Moorgate, E.C.2. Tel. Monarch 5962 (Private
branch exchange).
DOUGLAS YOUNG & CO., 12 Coleman Street, E.C.2.
Est. 1888. Tel. MON 9378 and at Clapham, S.W.9.
DRON & WRIGHT, 17 Coleman Street, Moorgate,
E.C.2. Tel. MONArch 6946 (PBX).
FULLER, HORSEY, SONS & CASSELL, Surveyors,
Valuers and Auctioneers of Industrial Premises, Plant
and Machinery, 10 Lloyds Avenue, E.C.3. ROY 4861.
Established 1807.
GOOCH & WAGSTAFF, Chartered Surveyors, 3 & 4
Old Jewry, E.C.2. Tel. Metropoltan 9444.
HICKLTON & PHILLIPS, Specialists in Valuation of
Jewels and Silver for probate or purchase, 90 Cheapside,
E.C.2. METropoltan 8441.
HORNE & CO. (Founded 1795), Chartered Surveyors,
Chartered Auctioneers and Estate Agents, 9 Ironmonger
Lane, E.C.2. METropoltan 8105 (3 lines).
KING & CO., Chartered Surveyors, 71 Bishopsgate, E.C.2.
Tel. LONDON Wall 7201 (6 lines). See also North
London.
MARK LIELL & SON, Chartered Surveyors, 9-13 Crutched
Friars, E.C.3. Telephone ROYal 5454. And East
London.
MATTHEWS & GOODMAN, Chartered Surveyors,
35 Bucklersbury, E.C.4. Tel. CITY 5627.
MOORE, C. C. & T., Chartered Surveyors, 13 Lime
Street, E.C.3 (Established 1820). Tel. MAN 0357.
RICHARD ELLIS & SON, Chartered Surveyors, 165
Fenchurch Street, E.C.3. Est. 1773. Tel. MIncing
Lane 4272.
ST. QUINTIN, SON & STANLEY, Chartered Surveyors,
149 Leadenhall Street, E.C.3. Est. 1830. Tel. AVEnue
6055.
TOPLIS & HARDING & FINDLAY, 13/14 Union Court,
Old Broad Street, E.C.2. Tel. LONDON Wall 7071.
HAROLD WILLIAMS & PARTNERS, Chartered Surveyors,
Valuers, Chartered Auctioneers and Estate Agents,
Temple Chambers, Temple Avenue, E.C.4. Tel. Ludgate
Circus 9206. And at 80 High Street, Croydon. Tel.
Croydon 1931.

NORTH LONDON

ALFRED SLINN & CO. (Est. 1869), Muswell Hill Broadway,
N.10. Tel. TUD 091 (5 lines).
BARBER & MOORE, F.A.L.P.A., 26 Stoke Newington
Road, N.16. Tel. CLissold 2143/4.
BATTY & STEVENS, 269 Archway Road, Highgate, N.6.
Tel. MOU 3424/5. Also at Muswell Hill, Finchley and
Barnet, Herts.
KING & CO., Chartered Surveyors, 725 Green Lanes, N.21.
Tel. LABurnum 6633 (5 lines). See also City of London.
J. MAUNDER TAYLOR, Chartered Surveyor, Chartered
Auctioneer and Estate Agent, 1318 High Road, N.20.
Tel. HILLside 2377/7217.
NEWBON & SHEPHERD, Auctioneers, Surveyors and
Estate Agents, 274/5 Upper Street, Islington, N.1.
Tel. CANobury 1800.
PERRY & SEYMOUR, Surveyors, Valuers and Estate
Agents, 6 Stoke Newington Road, N.16. Tel.
CLissold 6611/2.
H. PUTT & SONS, Chartered Surveyors, 580 Green Lanes,
London, N.E. Tel. STA 3750. Valuations for Probate and
Compulsory Acquisition, Urban Estate Managers.
STURT & TIVENDALE, Chartered Surveyors,
1261 High Road, Whetstone, N.20. Tel. 3331/2 and at
Highgate, N.6, and Muswell Hill, N.10.
WARD, SAUNDERS & CO., 296/299 Upper Street,
Islington, N.1. Tel. Can 2487/89.

NORTH-EAST LONDON

H. EDELMAN & CO., F.A.I., Chartered Auctioneers and
Estate Agents, Surveyors, Valuers, 172 Clapton
Common, E.S. Tel. STA 0036.
WM. STEVENS & SON, 5 Dalston Lane, E.B. Auctioneers
and Surveyors. Est. 1869. Tel. CLissold 1802. Also
at Brondesbury, N.W.6, and Edgware.

NORTH-WEST LONDON

ANDREWS, PHILIP & CO., F.R.I.C.S., Chartered
Surveyors, 275 Willesden Lane, N.W.2. Tel. WILLESDEN
2236/8.

NORTH-WEST LONDON (continued)

ANSCOMBE & RINGLAND, G. B. Slater, W. Andrews,
J. G. Slater, Chartered Surveyors, Auctioneers and
Estate Agents, 8 Wellington Road, N.W.8. Tel. PRI 7116.
BENNETT & CO., Surveyors, Valuers, Auctioneers,
167 Cricklewood Broadway, N.W.2. Tel. GLAdstone
6666 and 7871 (6 lines).
CAMERONS (Est. 1908), Estate Agents and Valuers
90 Walms Lane, N.W.2. Tel. WIL 0091.
T. B. WESTACOTT & SONS, Surveyors, Valuers and
Auctioneers, 74 Camden Road, N.W.1. Tel. GULLiver
3331/2.

SOUTH-EAST LONDON

BLAKE & DANNATT (Est. 1875), Chartered Surveyors,
R. S. Jackson, F.R.I.C.S., F.A.I., George Dannatt,
F.R.I.C.S., F.A.I., 18 Nelson Road, S.E.10. Tel.
GREenwich 0593/0560.
EASTMAN BROS., Estate Agents & Valuers, 280 Kirkdale,
S.E.26. Tel. SYD 6601.
FURLONG (H. J.) & SONS, Surveyors, Auctioneers and
Valuers, 1 Woolwich New Road, Woolwich, S.E.18.
Tel. 1467/8. And at Eltham, S.E.9, and branches.
HUMPHREYS, SKITT & CO. (Est. 1793), 205 Greenwich
High Road, S.E.10. GRE 1102/3.
NOTS & HOWES, F.A.L.P.A., 4 Sydenham Road, S.E.26,
and 137 Anerley Road, S.E.20. Tel. Syd. 5173, 6293,
and 4742.
PEARSONS, Chartered Surveyors, 189/191 Stanstead
Road, Forest Hill, S.E.23. Tel. FOR 1133/6.
VICTOR W. HINDWOOD & CO., Auctioneers and
Surveyors, 37 Charlton Church Lane, S.E.7. Tel.
GREenwich 1144/56. Blackheath Village, S.E.3. Tel.
LEE 3747. And Branches.

SOUTH-WEST LONDON

ACLAND & CO., Estate Agents, Surveyors and Valuers.
Rents collected. 193 New King's Road, S.W.6. Tel.
REN 1360/9 & 2317. Also at Richmond, Surrey (q.v.).
ANLEY & CO., Auctioneers and Surveyors, 853 Fulham
Road, S.W.6. REN 2383/5.
GEORGE BELBIN & CO., Chartered Surveyors and
Valuers, 1 Knightsbridge Green, S.W.1. Tel. KNights-
bridge 0846/8.
CALLOW & CO. (Estab. 1845), 1 Leigham Court Road,
Stratford, S.W.16. Tel. STR 0185/6 & STR 5252.
EDWIN EVANS & SONS (Est. 1860), Chartered Surveyors,
Valuers, Auctioneers and Estate Agents, 251 & 253
Lavender Hill, Clapham Junction, S.W.11. Tel.
BAT 0051 (4 lines). And at Morden, Surrey. Tel.
MIT 2281.
FINCH & CO., F.R.I.C.S., F.A.I., 187 Kingston Road,
Wimbledon. Tel. LIB 3345. And Clapham, S.W.4.
JOHN FOORD & CO., 56 Victoria Street, S.W.1. Tel.
VIC 2002/4. Industrial Valuers, Buildings, Plant &
Machinery.
W. HALLETT & CO. (Est. 1869), Surveyors, Valuers and
Estate Managers (L. J. Nixon, A.R.I.C.S., Chartered
Surveyor, A. R. Nixon, A.A.L.P.A.), 6 Royal Parade,
Kew Gardens, Richmond. Tel. RICHmond 1034 and 5950.
C. ERNEST MANEY, F.A.I., F.V.I., 1 Cavendish Parade,
South Side, Clapham, S.W.4. Tel. 4414.
RAYNERS, Property Managers, 30 Upper Richmond Road,
Putney, S.W.15. Tel. VANDyke 1000/3166/4242.
TAYLOR, A. V., & CO., Chartered Surveyors, Valuers,
Auctioneers and Estate Agents, 159 Putney High
Street, S.W.15. Tel. Putney 0034 (3 lines). Est. 1863.
WATSON & EWEN (Est. 1896), 366 Stratford High
Road, S.W.16 (F.R.I.C.S., F.A.I.). Tel. Stratford 0232
and 4788.
WILLIAM WILLET ESTATE AGENTS LTD., Sloane
Square, S.W.1. Tel. Sloane 8141. And at 146 Gloucester
Road, S.W.7. Tel. Frobisher 2238.
YORK & JONES, Office & Business Premises Specialists,
11 Palmer Street, S.W.1. Tel. ABB 1181/4.

EAST LONDON

ANSTEYS (Est. 1878), Chartered Surveyors, Auctioneers and
Valuers, 511 Barking Road, Plaistow, E.13. Tel.
Grangewood 0308.
H. J. BLISS & SONS (Est. 1816), 162/4 Beckton Green Road,
E.2. Tel. BIS 4818/9.
BROWN & EWIN, Chartered Auctioneers and Estate
Agents, 218 East India Dock Road, E.14. Tel. East 3872.

LONDON SUBURBS

Brentford (for West London and West Middlesex)—
LINNEY, MATTHEWS & CO. (C. A. Naylor, F.A.I.,
F.A.L.P.A., F.V.I.), Chartered Auctioneers and Estate
Agents, Valuers, 112 High Street, Brentford. Tel.
Liteworth 5277/8.
Chiswick and Bedford Park—TYSER, GREENWOOD
& CO., 386 High Road. H. Norman Harding, F.R.I.C.S.,
F.A.I., Ernest J. Griffen, F.A.I., G. S. Bradley, F.A.I.,
Est. 1873. Tel. Chiswick 7022/3/4.

(Continued on p. xviii)

EAST LONDON (continued)

CLARKSON & PARTNERS, Chartered Surveyors and
Estate Agents, 223 East India Dock Road, E.14. Tel.
EASt 1897/8. And at 23 Billiter Street, E.C.3. Tel.
ROYal 1006/7.
MOORE, C. C. & T., Chartered Surveyors, 33 Mile End
Road, E.I. City Office; 13 Lime Street, E.C.3. Tel.
MAN 0335/7.
TAYLOR, LOCKHART & LANG, Auctioneers, Surveyors
and Estate Managers, Est. 130 years. (S. S. Lockhart,
F.A.L.P.A., I. W. Lockhart, A.R.I.C.S., A.A.I., R. A. Lang,
A.R.I.C.S., M.R.S.H.), 230/232 Whitechapel Road, E.I.
Tel. SHopgate 7378 and at 95 Park Lane, W.1.

WEST-CENTRAL LONDON

BAILEY & WOODBRIDGE, 9 Great Russell Street, W.C.1.
Tel. MUSEum 2624. Estate Agents, Surveyors,
Investment Specialists.
BUCKLAND & SONS, 4 Bloomsbury Square, W.C.1.
Tel. HOL 0013/4. Also at Windsor, Slough and
Reading.
SAVILL, ALFRED & SONS, Chartered Surveyors, Land and
Estate Agents, Valuers and Auctioneers, 51a Lincoln's
Inn Fields, W.C.2. Tel. HOLborn 0741/9. Also at
Chelmsford, Guildford, Norwich, Wimborne and
Woking.
E. A. SHAW & PARTNERS (Est. 1899). Surveyors and
Valuers, 19 and 20 Bow Street, W.C.2. Tel. COV 2255.

WEST END LONDON

BEECROFT SONS & NICHOLSON—H. C. H. Beecroft,
P. R. Beecroft, F.R.I.C.S., F.A.I., Valuers, Surveyors
and Assessors, 32a Weymouth Street, W.I. Tel.
LAN 6721 (4 lines).
DOUGLAS KERSHAW & CO., Chartered Auctioneers and
Estate Agents, Valuers, 20 Brook Street, W.I. Tel.
Mayfair 4928 and 3404.
DOUGLAS YOUNG & CO., 1 Dover Street, W.I. Tel.
HYD 6441 and at E.C.2.
DRIVERS, JONAS & CO., Chartered Surveyors, Land
Agents and Auctioneers, 7 Charles II Street, St. James's
Square, S.W.1. Tel. TRAfigar 4744.
FOLKARD & HAYWARD, 115 Baker Street, W.I.
Tel. WEldon 8181.
HERRING, SON & DAW (incorporating Arthur F.
Bourdais), Rating Surveyors, Valuers and Town Planning
Consultants, 23 St. James's Square, S.W.1. Tel.
TRAfalgar 4121.
MAPLE & CO., LTD., Estate Offices, 5 Grafton Street,
Bond Street, W.I. Tel. HYDe Park 4685.
PERRY & BELL, Bell House, 175 Regent Street, W.I.
Tel. REgent 3333 (4 lines). Surveyors, Valuers, Estate
Agents and Auctioneers.

WEST LONDON

ALLEN & NORRIS, LTD., Estate Agents, Valuers and
Surveyors, 190 Fulham Palace Road, W.6. Tel.
Ful 7817/8/9.
ATHAWES, SON & CO., F.A.I. (Est. 1871), Chartered
Auctioneers & Estate Agents, Valuers, Surveyors and
Estate Managers, Acton, W.3. (ACOrn 0056/7/8).
BEALE & CAPPS, Chartered Auctioneers, Surveyors,
Valuers, 126 Latymer Grove, W.10. Tel. PAR 5671.
CHESTERTON & SONS, Chartered Surveyors,
Auctioneers and Estate Agents, 116 Kensington High
Street, W.8. Tel. Western 1234.
COLE, HICKS & CHILVERS, Surveyors, etc., Helens
Chambers, 42 The Broadway, Ealing, W.5. Tel.
Est 4014/5.
COOKES & BURRELL, Chartered Auctioneers and
Estate Agents, Surveyors and Valuers, West Kensington,
W.14. Tel. FULham 7665-6.
FARNHAM & COIGLEY, Chartered Surveyors and Estate
Agents, 9 Kensington Church Street, W.B. Tel.
WEStern 0042.
FLOOD & SONS, Chartered Auctioneers and Estate
Agents, 8 Westbourne Grove, W.2. Tel. BAY 0803.
TIPPING & CO., Surveyors, Estate Agents and Valuers,
56 Queensway, W.2. Tel. BAY 6486 (4 lines).
GEO. WESTON, F.A.I., Auctioneers, Estate Agents,
Valuers, Surveyors, 10 Sutherland Avenue, Paddington
W.9. Tel. Can 7217 (5 lines).

Ealing, Ealing Common and District—JONES & CO.,
F.A.I., Chartered Auctioneers and Estate Agents, ad-
Ealing Common Station, W.5. Tel. ACO 5006 (3 lines).
East Ham—HAMLETT'S (LEWIS J. HAMLETT,
F.R.I.C.S.), 764 Barking Road, Plaistow, E.13. Surveyors
and Estate Agents. Est. 1893. Tel. GRangewood 0546.
East Sheen, Barnes and Richmond—C. & E.
MELVILLE (John A. Melville, F.R.I.C.S.), 233 Upper
Richmond Road West, East Sheen, S.W.14. Tel.
PROspect 1021/2/3.

REGISTER OF

Auctioneers, Valuers, Surveyors, Land and Estate Agents

Edgware.—S. J. T. NEAL, F.R.I.C.S., F.A.I., 39 Station Road. Tel. EDG 0123/4.

Finchley.—E. C. LLOYD, 336 Regents Park Road, N.3. Tel. Finchley 6246/7.

Finchley and Barnet.—SPARROW & SON, Auctioneers, Surveyors and Valuers, 315 Ballards Lane, N.12. Est. 1874. Tel. HIL 5252/3.

Hammersmith.—HORTON & WATERS, 310 King Street, Valuations, Survey. Estates Managed. Tel. Riverside 1080 and 4567.

Harrow.—E. BECKETT, F.A.I., Surveyor, Chartered Auctioneer and Estate Agent, 7 College Road, Harrow. Tel. Harrow 5216. And at Sudbury, Wembley, North Harrow and Moor Park, Northwood.

Harrow.—P. N. DEWE & CO. (P. N. Dewe, F.A.L.P.A., J. Ferrari, F.R.I.C.S., F.A.I., M.R.S.A., J. Cosgrave, A.R.I.C.S., A.M.Struct.E.), 42 College Road. Tel. 4286/90. Associated offices at Hillingdon. Established 1925.

Hendon and Colindale.—HOWARD & MANNING (G. E. Manning, F.A.L.P.A., F.V.I.), Auctioneers, Surveyors and Valuers, 218 The Broadway, West Hendon, N.W.9. Tel. Hendon 7686/8, and at Northwood Hills, Middlesex. Tel. Northwood 2215/6.

Hendon.—DCUGLAS MARTIN & PARTNERS, LTD. (Douglas Martin, F.A.L.P.A., F.V.I.; Bernard Roach, F.A.L.P.A.; Jeffrey Lorenz, F.V.A.I.; John Sanders, F.V.A.I.; Alan Pritchard, A.V.A., Auctioneers, Surveyors, etc., Hendon Central Tube Station, N.W.4. Tel. HEN 6333).

Hendon.—M. E. NEAL & SON, 102 Brent Street, N.W.4. Tel. Hendon 6123. Established 1919.

Wford.—RANDALLS, Chartered Surveyors and Auctioneers (established 1884), 67 Cranbrook Road, Leyton, E.17. Tel. Leytonstone 623/4424.

Leyton and Leytonstone.—R. CHEKE & CO., 252 High Road, E.10. Tel. Leytonstone 7733/4.

Leytonstone.—COMPTON GUY, Est. 1899, Auctioneers, Surveyors and Valuers, 55 Harrington Road. Tel. Ley 1123. And at 1 Cambridge Park, Wanstead. Tel. Wan 5148; 13 The Broadway, Woodford Green, Tel. Suc 0464.

Leytonstone.—PETTY, SON & PRESTWICH, F.A.I., Chartered Auctioneers and Estate Agents, 682 High Road, Leytonstone, E.11. Tel. LEY 1194/5, and at Wanstead and South Woodford.

Mile Hill.—COSWAY ESTATE OFFICES, 135/7 The Broadway, N.W.7. Tel. Mile Hill 2422/3422/2204.

Nerbury.—DOUGLAS GRAHAM & CO., Estate Agents, Property Managers, 1364 London Road, S.W.16. Tel. POL 1313/1690. And at Thornton Heath, Sutton and Piccadilly, W.1.

Putney.—QUINTON & CO., F.A.I., Surveyors, Chartered Auctioneers and Estate Agents, 153 Upper Richmond Road, S.W.15. Tel. Putney 6249/6617.

South Norwood.—R. L. COURCIER, Estate Agent, Surveyor, Valuer, 4 and 6 Station Road, S.E.25. Tel. Livingstone 3737.

Tottenham.—HILLYER & HILLYER (A. Murphy, F.A.I., F.V.A.), Auctioneers, Surveyors, Valuers and Estate Managers, 270/2 West Green Road, N.15. Tel. BOV 3444 (3 lines).

Walthamstow and Chingford.—EDWARD CULFF & CO., F.A.L.P.A., Auctioneers and Surveyors and Estate Agents, 92 St. Mary Road, Walthamstow, E.17. Tel. COPPERMILL 2391. Specialists in Property Management.

Wandsworth (Borough of).—BATTERSEA and S.W. Areas.—MORETON RICHES, Surveyor, Auctioneer and Valuer, House and Estate Agent, 92 East Hill, Wandsworth, S.W.18. Tel. VANdyke 4166/4167.

Wood Green.—WOOD & LOACH, Chartered Auctioneers and Estate Agents, Surveyors and Valuers, 723 Lordship Lane, N.22 (adjacent Eastern National Bus Station, close to Wood Green Tube Station). Tel. Bowes Park 1632.

PROVINCIAL**BEDFORDSHIRE**

Bedford.—J. R. EVE & SON, 40 Mill Street, Chartered Surveyors, Land Agents, Auctioneers and Valuers. Tel. 6730/1.

Bedford.—ROBINSON & HALL, 15a St. Paul's Square, Chartered Surveyors. Tel. 2201/2/3.

Luton.—RICHARDSON & STILLMAN, Chartered Auctioneers and Estate Agents, 30 Alma Street, Luton. Tel. Luton 6492/3.

BERKSHIRE

Abingdon, Wantage and Didcot.—ADKIN, BELCHER & BOWEN, Auctioneers, Valuers and Estate Agents. Tel. Nos. Abingdon 1078/9; Wantage 40; Didcot 3197.

Bracknell.—HUNTON & SON, Est. 1870, Auctioneers and Estate Agents, Valuers. Tel. 23.

County of Berkshire.—TURNELL & PARTNERS, Auctioneers, Valuers and Surveyors, Sunninghill (Ascot 1656), Windsor (Windsor 10) and Streetley (Goring 45). Didcot and District.—E. P. MESSENGER & SON, Chartered Auctioneers and Estate Agents, etc., The Broadway, Tel. Didcot 2079.

Faringdon.—HOBB & CHAMBERS, Chartered Surveyors, Chartered Auctioneers and Estate Agents. Tel. Faringdon 2113.

Maidenhead.—L. DUDLEY CLIFTON & SON, Chartered Auctioneers and Estate Agents, Surveyors and Valuers, 32 Queen Street. Tel. 62 and 577 (4 lines).

Maidenhead.—Windsor and Sonningdale.—GIDDY & GIDDY, Tel. Nos. Maidenhead 53; Windsor 73, Ascot 73.

Newbury.—DAY, SHERGOLD & HERBERT, F.A.I., Est. 1869. Chartered Auctioneers and Estate Agents, Market Place, Newbury. Tel. Newbury 775.

Newbury.—DREWEATT, WATSON & BARTON, Est. 1759. Chartered Auctioneers, Estate Agents and Valuers, Market Place. Tel. I.

Newbury and Hungerford.—A. W. NEATE & SONS, Est. 1876. Auctioneers, Valuers and Estate Agents. Tel. Newbury 2961. Hungerford 8.

Reading.—HASLAM & SON, Chartered Surveyors and Valuers, Friar Street, Chambers. Tel. 5427/1/2.

Windsor and District.—ALLSOON, REEVE & GRAFTON, "Pym House," 9 Park Street, Windsor. Tel. 3536/7 and 3440.

Windsor and Reading.—BUCKLAND & SONS, High Street, Windsor. Tel. 48. And 154 Friar Street, Reading. Tel. 51370. Also at Slough and London, W.C.

BUCKINGHAMSHIRE

Amersham and The Chelffonts.—SWANNELL & SLY, Hill Avenue, Amersham. Tel. 73. Valuers, Auctioneers, etc.

Amersham, Chesham and Great Missenden.—HOWARD, SON & GOOCH, Auctioneers, Surveyors, and Estate Agents, Oakfield Corner, Amersham (Tel. 1430), and at Chesham 8097 and Great Missenden 2194.

Aylesbury.—PERCY BLACK & CO., Chartered Surveyors, Chartered Auctioneers and Estate Agents, 4 Temple Street. Tel. 4661/3.

Aylesbury.—W. BROWN & CO., 2 Church Street. Tel. 4706/7. Urban and Agricultural practice.

Aylesbury.—HAMNETT, RAFFETY & CO., Chartered Surveyors, Auctioneers and Estate Agents, 2a & 4 Temple Square. Tel. 4633/4.

Bacchusfield.—HAMNETT, RAFFETY & CO., Chartered Surveyors, Auctioneers and Estate Agents. Opposite the Post Office. Tel. 1290/1.

Bleitchley and Woburn Sands.—WOODHOUSE NEALE, SONS & CO., Auctions, Surveys, Valuations, Repositories. Tel. Nos. Bleitchley 2201/2 and Woburn Sands 2167.

Parnham Common, Nr. Slough.—HAMNETT, RAFFETY & CO., Chartered Surveyors, Auctioneers and Estate Agents, The Broadway. Tel. 1062/3.

BUCKINGHAMSHIRE (continued)

High Wycombe.—HAMNETT, RAFFETY & CO., Chartered Surveyors, Auctioneers and Estate Agents, 30 High Street. Tel. 2576/9.

High Wycombe and South Bucks.—HUNT & NASH, Chartered Surveyors and Auctioneers, 15 Crandon Street. Tel. 884/5 (and at Slough).

High Wycombe and South Bucks.—H. MORCOM JONES & CO., F.A.I., Chartered Auctioneers, 86 Eaton Street. Tel. 1404/5.

Princes Risborough.—HAMNETT, RAFFETY & CO., Chartered Surveyors, Auctioneers and Estate Agents, High Street. Tel. 744/5.

Slough.—EDWARD & CHARLES BOWYER, Chartered Surveyors, 15 Curzon Street. Tel. Slough 2032/1/2.

Slough.—BUCKLAND & SONS, 26 Mackenzie St. Tel. 21307. Also at Windsor, Reading and London, W.C.1.

Slough.—HOUSEMANS, Estate and Property Managers, Surveyors, Valuers, House, Land and Estate Agents. Mortgage and Insurance Brokers. 46 Windsor Road. Tel. 25496. Also at Ashford, Middlesex.

Slough.—HUNT & NASH, Chartered Surveyors, 7 Mackenzie Street, Slough. Tel. 2325 (3 lines), also at High Wycombe.

Slough and Gerrards Cross.—GIDDY & GIDDY, Tel. Nos. Slough 2337, Gerrards Cross 3967.

CAMBRIDGESHIRE

Cambridge.—HOCKY & SON (Est. 1885), Auctioneers and Surveyors, 8 Bonnet Street. Tel. 5945/56.

Cambridge and County.—WESTLEY & HUFF, Auctioneers, Surveyors and Valuers, 10 Hills Road, Cambridge. Tel. 5565/6.

CHESHIRE

Altringham.—STUART MURRAY & CO., Auctioneers, etc., 8 The Downs. Tel. 2302/3. And at Manchester.

Birkenhead.—SMITH & SONS (Est. 1840), Auctioneers, Valuers, BIRKENHEAD (Tel. 1590); and at Liverpool, Birkenhead and Wirral. JAMES HARLAND & CO., Chartered Auctioneers, Chartered Surveyors and Estate Agents, Valuers, 46 Church Road, Birkenhead. Tel. 1597 (3 lines).

Chester.—BERESFORD, ADAMS & SON, (Est. 1899), Auctioneers, Valuers and Surveyors, 22 Newgate Street. Tel. No. 23401.

Chester.—BROWNS OF CHESTER, LTD., Auctioneers, Valuers and Estate Agents, 103 Foregate Street. Tel. Chester 2149/5/6.

Chester.—HARPER, WEBB & CO. (Incorporating W. H. Nightingale & Son), Chartered Surveyors, 35 White Friars, Chester. Tel. Chester 2065/8.

Cheshire.—SWETENHAM, WHITEHOUSE & CO., Auctioneers, Estate Agents, Surveyors, Valuers, 5 St. Werburgh Street. Tel. 2042/2.

Congleton.—LOUIS TAYLOR & SONS, F.A.I., Chartered Auctioneers and Estate Agents, 21 High Street. Tel. 91.

Crewe.—W. J. WHITAKER & CO., Incorporated Auctioneers, Valuers and Estate Agents, Congleton, Cheshire. Tel. 241.

Crowe.—HENRY MANLEY & SONS, LTD., Auctioneers & Valuers, Crewe (Tel. 4301) & Branches, Marlesfield.—BROCKLEHURST & CO., Auctioneers, Valuers, Estate Agents, King Edward Street. Tel. 2183.

Nantwich.—NICHOLAS WRIGHT, Auctioneers, Valuers and Estate Agents, 1 Hospital Street, Nantwich. Tel. 65410.

Northwich.—MARSH & SON, Auctioneers, Valuers, Estate Agents, 4 Bull Ring. Tel. 2216.

Stockport.—HOPWOOD & SON (Est. 1835), Chartered Auctioneers, Valuers, Estate Agents, 69 Wellington Road South. Tel. STO 2123.

CORNWALL

County of Cornwall.—JOHN JULIAN & CO., LTD. Established 1836. Auctioneers, Valuers, Estate Agents. Office at Newquay; Truro; Falmouth and Wadebridge.

CORNWALL (continued)

County of Cornwall.—RUSSELL & HAMLEY, F.A.I. (C. J. HAMLEY, F.A.I., A. W. Russell, F.A.I.), 31 Town End, Bodmin. Tel. 346.

Falmouth.—R. E. PRIOR, F.R.I.C.S., F.A.I., Chartered Surveyor and Auctioneer, 3 Market Street, Falmouth. Tel. 1224.

Penzance.—St. Ives, West Cornwall and Isles of Scilly.—W. H. LANE & SON, F.A.L.P.A., The Estate Office, Morrah Road, Penzance. Tel. Penzance 2286/7.

Redruth.—A. PEARSE JENKIN & PARTNERS, Est. 1760. Auctioneers, Surveyors and Valuers, Alma Place.

St. Austell and Looe.—LAMPSHIRE & NANCOLLAS, Chartered Auctioneers and Estate Agents, St. Austell 3254/5. Looe 309.

St. Austell.—Lostwithiel and Liskeard.—ROWSE, JEFFERY & WATKINS, Auctioneers, Valuers, Surveyors and Estate Agents. St. Austell 3483/4. Lostwithiel 451 and 245. Liskeard 2400.

Truro, Mid and West Cornwall.—R. G. MILLER & CO., Auctioneers, Valuers and Estate Agents. Established 1934. R. G. Miller, F.V.I., A. I. Miller, A.A.I., 6 King Street. (Phone Truro 2503.)

DERBYSHIRE

Derby.—ALLEN & FARQUHAR, Chartered Auctioneers and Estate Agents, Derwent House, 39 Full Street. Tel. Derby 45645 (3 lines).

DEVONSHIRE

Axminster.—25-mile radius.—TAYLOR & CO., Auctioneers, Valuers, Surveyors, Estate Agents. Tel. 2323/4.

Axminster, East Devon, South Somerset and West Dorset Districts.—R. & C. SNELL, Chartered Auctioneers, Estate Agents, Valuers and Surveyors, Axminster (Devon), Chard (Somerset) and Bridport (Dorset).

Barnstaple and N. Devon.—BRIGHTON GAY, F.A.L.P.A., Surveyors, Valuers, Auctioneers, Joy Street, Barnstaple. Tel. 4131.

Barnstaple and N. Devon.—J. GORDON VICK, F.R.I.C.S., F.A.I., Chartered Surveyor, Chartered Auctioneer. Tel. 4388.

Bideford and North Devon.—R. BLACKMORE & SONS, Chartered Auctioneers and Valuers. Tel. 1133/1134.

Bideford and North Devon.—A. C. HOOPER & CO., Estate Agents and Valuers. Tel. 708.

Brixham and Torbay.—FRED PARKES, F.A.L.P.A., Estate Agent, Auctioneer and Valuer, 15 Bolton Street. Tel. 2036.

Devon and Exeter.—GUY MICHELMORE & CO., Norwich Union House, Exeter. Tel. 7644/5.

Devon, Exeter and S.W. Country.—RICKARD, GREEN & MICHELMORE, Estate Agents, Auctioneers, Surveyors and Valuers, 82 Queen Street, Exeter. Tel. 74072 (2 lines).

Exeter.—RIPON, BOSWELL & CO., Incorporated Auctioneers and Estate Agents, Valuers and Surveyors. Est. 1884. Tel. 59378 (3 lines).

Ifracombe.—W. C. HUTCHINGS & CO., Incorporated Auctioneers, Valuers and Estate Agents. Est. 1887. Tel. 138.

Okhampton, Mid Devon.—J. GORDON VICK, Chartered Surveyor, Chartered Auctioneer. Tel. 22.

Paignton, Torbay and South Devon.—TUCKERS, Auctioneers and Surveyors, Paignton. Tel. 59024.

Plymouth.—D. WARD & SON, Chartered Surveyors, Land Agents, Auctioneers and Valuers. Est. 1872. 11 The Crescent, Plymouth. Tel. 66251/4.

Sidmouth.—POTBURY & SONS, LTD., Auctioneers, Estate Agents and Valuers. Tel. 14.

(Continued on p. xix)

Please mention "THE SOLICITORS' JOURNAL" when replying to Advertisements

normal barrister. If it was too big a jump for them to be appointed directly to the High Court, he would settle for county court or stipendiary appointments, with the prospect of a ladder of promotion. He could not understand why more county court judges were not promoted to the High Court; since 1950 only one had been. The prospect of promotion would improve the quality of the county court judges also by encouraging better material to come forward. He asked for an advisory committee to be set up.

LORD CHORLEY said the appointment of a county court judge to the High Court was less of a gamble than that of an advocate. As to the appointment of solicitors, he cited Lumsden, J., as an example of a solicitor who had, after transferring to the Bar, made a very good judge. Solicitors who practised in the county court contended successfully with barrister opponents, and those who practised in the High Court often spent as much time in court as barristers and were as familiar with the technicalities of procedure.

LORD OGMORE spoke in favour of a common system of training, education and examinations for all lawyers. He was against fusion and against solicitors being appointed High Court judges. LORD DENNING said that a regular ladder of promotion would involve the dangers of favouritism and influence. He doubted whether solicitors were sufficiently familiar with the rules of pleading and evidence, and they lacked the long training in advocacy which enabled our judges to deliver a summing-up or an extempore judgment in a way that was the envy of the civilised world. The right solution was a common system of legal education. LORD MANCROFT was against a ladder of promotion or any proportional adjustment between members of the Bench; the power of the Lord Chancellor should not be fettered. LORD MESTON spoke in favour of fusion and LORD CONESFORD expressed his sympathy for the individual who would, if the first amendment were accepted, be universally known as the statutory county court judge promoted to the High Court Bench.

The LORD CHANCELLOR said that he always considered the lower judiciary when appointments to the High Court Bench were to be made, but no restriction should be placed on him. As to the appointment of solicitors, he said that there was no risk of diluting the quality of the Bench by further appointments from the Bar. He quoted an editorial comment in THE SOLICITORS' JOURNAL of 17th November: "Practice at the Bar is the best preparation for the Bench." The "feel" of a case, the atmosphere, the background and the strength, was second nature which came from experience of conducting cases in courts, and High Court work was very different from that of county and magistrates' courts. Any solicitor who was to be considered for appointment would have to be one of the leading members of his profession, and these were not usually men with recent, constant experience of court work, but men who were wise advisers in important matters behind the scenes, in regard to estates, companies and commercial matters.

But the barriers towards ready interchange between the two branches of the profession ought to be removed. He again quoted THE SOLICITORS' JOURNAL of 17th November:—

"We have no doubt that practice at the Bar is the best preparation for the Bench and it is the duty of the whole legal profession, solicitors and teachers as well as barristers, to ensure that all who are likely to make good judges have the opportunity to practise as barristers without the artificial barriers which now stand in their way. There should be a closer relationship between the two branches of the profession so that it would be easier to transfer from one to the other . . ."

The problem of a common system of education, or, at any rate, a system with parts in common, had occupied the Council of Legal Education and The Law Society, and in his view it was plainly desirable that further progress should be made in that direction.

The amendment was withdrawn.

[23rd November.]

HOUSE OF COMMONS

PROGRESS OF BILLS

Read First Time:—

Agricultural and Forestry Associations (Trading Agreements) Bill [H.C.] [22nd November.]

To provide that certain trading agreements entered into by associations of persons occupying land used for agriculture or forestry shall be exempted from the application of Part I of the Restrictive Trade Practices Act, 1956.

Air Guns and Shot Guns, etc. Bill [H.C.] [22nd November.]

To restrict the use and possession of air guns, shot guns and similar weapons.

Carriage by Air (Supplementary Provisions) Bill [H.C.] [22nd November.]

To give effect to the Convention, supplementary to the Warsaw Convention, for the unification of certain rules relating to international carriage by air performed by a person other than the contracting carrier; and for connected purposes.

Coal Consumers' Council (Northern Irish Interests) Bill [H.C.] [22nd November.]

To provide for the appointment to the Industrial Coal Consumers' Council and the Domestic Coal Consumers' Council of persons to represent Northern Irish interests.

Companies (Share Transfers) Bill [H.C.] [24th November.]

To amend the law relating to instruments of transfer of shares, stock and debentures in companies.

Consumer Test Registration Bill [H.C.] [22nd November.]

To provide for the registration of particulars as to the financial state of affairs, control and management of bodies corporate and unincorporate, engaging in the publication of comparative reports on consumer goods or services or in the award of diplomas or of the authority to use marks or emblems denoting approval of such goods or services or their compliance with certain standards, and for the registration of particulars as to the criteria and results of research or investigation carried out for the purposes of such reports or awards; and for purposes concerned therewith.

Fair Trade Practices Bill [H.C.] [22nd November.]

To prohibit deceptive and misleading advertising and labelling of consumer goods and other unfair trading practices; and for purposes connected therewith.

Hire Purchase Bill [H.C.] [22nd November.]

To amend the law relating to hire purchase and sales on credit of goods; and for purposes connected therewith.

Insurance Companies (Share Capital) Bill [H.C.] [22nd November.]

To increase the minimum paid up share capital required by an insurance company to which the Insurance Companies Act, 1958, applies.

Landlord and Tenant Bill [H.C.] [22nd November.]

To require the giving of information by landlords to tenants; and for purposes connected therewith.

Law Reform (Husband and Wife) Bill [H.C.] [24th November.]

To amend the law with respect to civil proceedings between husband and wife.

Local Authorities (Amenities) Bill [H.C.] [22nd November.]

To enable local authorities to provide, protect and enhance local amenities.

Local Authorities (Historic Buildings) Bill [H.C.] [22nd November.]

To make provision for contributions by local authorities towards the repair and maintenance of buildings of historic or architectural interest; and for purposes connected therewith.

Local Government (Records) Bill [H.C.] [22nd November.
To amend the law relating to the functions of local authorities with respect to records in written or other form.

Lotteries and Gaming Bill [H.C.] [22nd November.
To make provision with respect to the interpretation of references to private gain in certain enactments relating to lotteries or gaming.

National Assistance Act, 1948 (Amendment) Bill [H.C.] [22nd November.

To amend section thirty-one of the National Assistance Act, 1948, and to empower local authorities to provide meals and recreation for old people; and for purposes connected therewith.

National Insurance (Widowed Mothers) Bill [H.C.] [22nd November.

To provide for the abolition of the earnings rule in relation to widowed mothers by the amendment of section seventeen of the National Insurance Act, 1946.

Police Federations Bill [H.C.] [22nd November.
To amend the law relating to the constitution and proceedings of the Police Federations.

Protection of Amenity Bill [H.C.] [22nd November.
To make better provision for the protection and enhancement of amenity in town and country.

Sexual Offences Bill [H.C.] [22nd November.
To amend the law relating to homosexual offences.

Shops (Airports) Bill [H.C.] [22nd November.
To exempt shops at certain airports, and the carrying on of any retail trade or business at or in connection with such shops, from the provisions of Parts I and IV of the Shops Act, 1950; and for purposes connected therewith.

Read Second Time:—

Health Visitors and Social Workers Training Bill [H.C.] [24th November.

Housing (Scotland) Bill [H.C.] [22nd November.

Local Government (Financial Provisions, etc.) (Scotland) Bill [H.C.] [22nd November.

Transport Bill [H.C.] [21st November.

In Committee:—

Civil Aviation (Eurocontrol) Bill [H.C.] [24th November.

STATUTORY INSTRUMENTS

Airways Corporations (General Staff, Pilots and Officers Pensions) (Amendment) (No. 2) Regulations, 1961. (S.I. 1961 No. 2161.) 7d.

Cambridge Waterworks Order, 1961. (S.I. 1961 No. 2192.) 7d.

Cardiff Corporation Water (Cefn Mably Reservoirs) Order, 1961. (S.I. 1961 No. 2204.) 7d.

Direct Grant Schools Amending Regulations No. 1, 1961. (S.I. 1961 No. 2203.) 6d.

Improvement of Livestock (Licensing of Bulls) (Scotland) Amendment Regulations, 1961. (S.I. 1961 No. 2163 (S. 122).) 6d.

London-Edinburgh-Thurso Trunk Road (Boston Spa Roundabout and Link Roads) Order, 1961. (S.I. 1961 No. 2184.) 6d.

London Traffic (40 m.p.h. Speed Limit) (No. 11) Regulations, 1961. (S.I. 1961 No. 2159.) 6d.

London Traffic (Prescribed Routes) (Hampstead) Regulations, 1961. (S.I. 1961 No. 2158.) 6d.

London Traffic (Prescribed Routes) (Westminster) (No. 2) Regulations, 1961. (S.I. 1961 No. 2172.) 7d.

National Insurance (Non-participation—Certificates) Amendment Regulations, 1961. (S.I. 1961 No. 2176.) 6d.

North Eastern Sea Fisheries District (Variation of District) Order, 1961. (S.I. 1961 No. 2213.) 7d.

Rent Restrictions (Amendment) Regulations, 1961. (S.I. 1961 No. 2239.) 7d. See p. 996, *ante*.

Rugby Joint Water Board Order, 1961. (S.I. 1961 No. 2193.) 1s. 9d.

Rules of Procedure (Air Force) (Amendment) Rules, 1961. (S.I. 1961 No. 2152.) 8d.

Stirling-Cupar-St. Andrews Trunk Road (Petheram Bridge Diversion) Order, 1961. (S.I. 1961 No. 2162 (S. 121).) 6d.

Stopping up of Highways Orders, 1961:—

County of Buckingham (No. 14). (S.I. 1961 No. 2166.) 6d.
County of Chester (No. 22). (S.I. 1961 No. 2195.) 6d.

County of Chester (No. 25). (S.I. 1961 No. 2164.) 6d.
County of Chester (No. 26). (S.I. 1961 No. 2165.) 6d.

County of Cornwall (No. 9). (S.I. 1961 No. 2177.) 6d.
County of Cornwall (No. 10). (S.I. 1961 No. 2196.) 6d.

County of Devon (No. 4). (S.I. 1961 No. 2179.) 6d.
County Borough of Eastbourne (No. 1). (S.I. 1961 No. 2167.) 6d.

County of Glamorgan (No. 4). (S.I. 1961 No. 2180.) 6d.
County of Gloucester (No. 15). (S.I. 1961 No. 2157.) 6d.

County of Hertford (No. 13). (S.I. 1961 No. 2181.) 6d.
County of Kent (No. 21). (S.I. 1961 No. 2154.) 6d.

County of Kent (No. 22). (S.I. 1961 No. 2155.) 6d.
County of Lincoln, Parts of Lindsey (No. 11). (S.I. 1961 No. 2189.) 6d.

London (No. 47). (S.I. 1961 No. 2156.) 6d.
London (No. 50). (S.I. 1961 No. 2188.) 6d.

County of Northampton (No. 8). (S.I. 1961 No. 2168.) 6d.
County of Nottingham (No. 5). (S.I. 1961 No. 2178.) 6d.

County of Pembrokeshire (No. 3). (S.I. 1961 No. 2169.) 6d.
County of Salop (No. 3). (S.I. 1961 No. 2170.) 6d.

County of Salop (No. 9). (S.I. 1961 No. 2182.) 6d.
County of Salop (No. 11). (S.I. 1961 No. 2190.) 6d.

County of Stafford (No. 11). (S.I. 1961 No. 2183.) 6d.

Draft Summer Time (1962) Order, 1961. 6d.

Supreme Court (Non-Contentious Probate) Fees Order, 1961. (S.I. 1961 No. 2186 (L.5.).) 6d.

This order amends the scales of fees payable on applications for grants of probate or letters of administration where the estate is less than £2,000 in net value. The new scales apply to applications made on or after 1st January, 1962, including applications to officers of Customs and Excise under s. 33 of the Customs and Inland Revenue Act, 1881, which is amended as from that date by the Small Estates (Representation) Act, 1961, so as to permit such applications where the estate is less than £1,000 in net value and less than £3,000 in gross value and the deceased died on or after 10th April, 1946. See article at p. 998, *ante*.

Swansea-Manchester and Chester-Bangor Trunk Roads (Chester Ring Road (Southern Section)) Order, 1961. (S.I. 1961 No. 2171.) 6d.

Wages Regulation (Laundry) (Amendment) Order, 1961. (S.I. 1961 No. 2187.) 6d.

SELECTED APPOINTED DAYS

November

24th Housing Act, 1961.

December

1st Betting and Gaming Act, 1961, all provisions not already in force, i.e., s. 6; s. 29 (3) and Sched. VI, Pt. II, in so far as they relate to the Street Betting Act, 1906, s. 1 (3).

4th Wages Regulation (Retail Food) (England and Wales) (No. 2) Order, 1961. (S.I. 1961 No. 2072.)

"THE SOLICITORS' JOURNAL"

Editorial, Publishing and Advertisement Offices: Oyez House, Breams Buildings, Fetter Lane, London, E.C.4. Telephone: CHAncery 6855.

Annual Subscription: Inland £4 10s., Overseas £5 (postage 13s. 4d. extra) (payable yearly, half-yearly or quarterly in advance).

Classified Advertisements must be received by first post Wednesday.

Contributions are cordially invited and should be accompanied by the name and address of the author (not necessarily for publication).

The Copyright of all articles appearing in THE SOLICITORS' JOURNAL is reserved.

REGISTER OF

Auctioneers, Valuers, Surveyors, Land and Estate Agents

DEVONSHIRE (continued)

Teignmouth, Sheldon, etc.—ROBT. FROST & SON (Robt. Frost, F.A.I., Chartered Auctioneers and Estate Agents), Est. 1857. 5 Regent Street, Teignmouth. Tel. 671/2.

Torquay and South Devon.—WAYCOTT'S, Chartered Auctioneers and Estate Agents, 5 Fleet Street, Torquay. Tel. 4333/5.

DORSETSHIRE

Poole, Parkstone, Broadstone—RUMSEY & RUMSEY, Head Office, 111 Old Christchurch Road, Tel. Bournemouth 21212. 14 Branch Offices in Hants and Dorset and Channel Islands.

West Dorset.—ALLEN, TAYLOR & WHITFIELD, 25 East Street, Bridport. Tel. 2929.

DURHAM

Darlington.—JAMES PRATT & SONS, F.V.I., Auctioneers, Valuers and Estate Agents, 40 High Row. Tel. 68789 (2 lines).

Darlington.—SANDERSON, TOWNSEND & GILBERT, Chartered Surveyors, 92 Bondgate.

EAST ANGLIA

Norfolk-Suffolk.—THOS. WM. GAZE & SON, Crown Street, Diss. (290/291). Est. a Century. Chartered Auctioneers, Agricultural, Property and Chattel Valuers

ESSEX

Brentwood, Hadleigh and South-East Essex.—JOHN S. LLOYD & CO., Chartered Auctioneers and Estate Agents. Head Office: Estate House, Hadleigh, Essex. Tel. 58523 and 59174.

Brentwood and Mid-Essex.—HOWARD & CO. (BRENTWOOD), LTD., Surveyors, Valuers and Estate Agents, 143 High Street, Brentwood. Tel. Brentwood 4338.

Chelmsford, Billericay, Braintree and Maldon.—TAYLOR & CO., Chartered Auctioneers and Estate Agents. Surveyors and Valuers, 17 Duke Street. Tel. 55561 (5 lines). Billericay Tel. 112/505. Braintree Tel. 1564/2. Maldon Tel. 88/988.

Chelmsford and Wickford.—R. COOPER, HIRST, F.R.I.C.S., F.A.I., Chartered Surveyor, Chartered Auctioneer and Estate Agent, 12 Duke Street, Chelmsford (Tel. 4534) and Market Road, Wickford (Tel. 3058).

Chelmsford and Witham.—BALCH & BALCH, Chartered Surveyors, Auctioneers and Valuers, 3 Tindal Square, Chelmsford. Tel. 51551; and Witham Tel. 3381.

Claacton-on-Sea.—DONALD COTTAGE, EAVES & CO. (Chas. W. Eaves, F.A.I., F.A.L.P.A.), 67/69 Station Road, Clacton-on-Sea. Tel. 857/8. And at Holland-on-Sea. Tel. 3270.

Colchester and District.—C. M. STANFORD & SON (Partners and Senior Personnel fully qualified members of Professional Institutes), 23 High Street, Colchester. Tel. 3165 (4 lines).

Halesworth and N.E. Essex.—H. G. HUGHES & CO. (G. R. Copsey, A.V.I.), Auctioneers, Estate Agents and Valuers, 29 Chapel Street. Tel. 2519.

Hornchurch.—HAYWARD & CO., Surveyors, Valuers and Estate Agents, 163 High Street. Tel. 46635/6.

Iford.—S. A. HULL & CO., F.A.I. (Incorporating ASHMOLES, est. 1864), Chartered Auctioneers and Estate Agents, 16 Clements Road. Tel. Iford 4366/7, and at 404 Cranbrook Road, Gants Hill. Tel. Valentine 9525.

Leigh-on-Sea.—GORDON LANE & BUTLER, Auctioneers and Surveyors, 125 Rectory Grove. Tel. 78340.

Leigh-on-Sea.—HAIR (FREDK. G.) & SON, Auctioneers and Surveyors, 1528 London Road. Tel. 78566/7.

Leigh-on-Sea, Rayleigh and Country Districts.—HAROLD W. FIRCHBECK, Chartered Surveyor and Valuer (Pinchbeck, Chapman & Co.), 29 Rectory Grove, Leigh-on-Sea (7502) and High Street, Rayleigh. Tel. 24.

Maldon.—TAYLOR & CO., Chartered Auctioneers and Estate Agents, 9 London Road. Tel. 88/988.

Romford and District.—R. CHEKE & CO., 4 North Street, Hornchurch, Essex. Hornchurch 4342/4 and branches.

Romford, Upminster and District.—HILBERT CHAPLIN & CO., Chartered Auctioneers, Estate Agents and Surveyors, 125 South Street, Romford (Tel. Romford 45004) and 42 Station Road, Upminster (Tel. Upminster 2666).

Southend-on-Sea and S.E. Essex.—TAYLOR, SON & DAVIS, Auctioneers and Surveyors, 37 Victoria Avenue, Tel. Southend 41201 (3 lines). And at Westcliff-on-Sea and Leigh-on-Sea.

Southend, Westcliff and Country Districts.—H. V. & G. SORRELL, Chartered Surveyors, Auctioneers and Estate Agents, 40 Clarence Street, Southend. Tel. Southend 42225. And at High Street, Rayleigh.

Southend, Westcliff and South East Essex.—TALBOT & WHITE, Chartered Surveyors, Valuers, Auctioneers and Estate Agents, Established 1885. 34 Clarence Street, Southend-on-Sea. Tel. Southend 48137/8, and 29 and 31 Hamlet Court Road, Westcliff-on-Sea. Tel. Southend 4782/3.

Woodford.—MARK LIELL & SON, Chartered Surveyors, 9 High Road, Woodford Green. Tel. Buckhurst 0181, and East Ham.

GLoucestershire

Bath and District and Surrounding Counties.—COWARD, JAMES & CO., Incorporating FORTT, HATT & BILLINGS (Est. 1903), Surveyors, Auctioneers and Estate Agents, Special Probate Department New Bond Street Chambers, 14 New Bond Street, Bath. Tel. Bath 3150, 3584, 4268 and 61360.

Bristol.—C. J. HOLE & SONS (Est. 1867), 70 Park Row, Bristol, 1. Chartered Auctioneers, etc. Tel. 24324 (4 lines) and 28043.

Bristol.—LALONDE, BROS. & PARHAM (Est. 1848), 64 Queen's Road. Tel. 27731 (8 lines). And at Weston-super-Mare.

Bristol.—JOHN E. PRITCHARD & CO. (Est. 1785), Chartered Auctioneers and Estate Agents, Surveyors and Valuers, 52 Queen Road, Bristol, 8. Tel. 24334 (3 lines).

Bristol, Somerset and Gloucester.—ALDER, STANLEY & PRICE (Established 1911), Valuation Consultants, 7 St. Stephen's Street, Bristol, 1. Tel. 20301. A. Oliver Perkins, F.R.I.C.S., F.A.I., P.P.S.A.L.P.A., R. B. Kislingbury, F.R.I.C.S., F.A.I., A. E. Sutor, F.A.L.P.A., W. H. Mapley, A.R.I.C.S., A.R.V.A., F.A.L.P.A., Auction and Estate Offices, 94 Whiteladies Road, Clifton and Redfield.

Bristol and the West of England.—J. P. STURGE & SONS (Established 1760), Surveyors, Land Agents and Auctioneers, 24 Berkeley Square, Bristol, 8. Telephone: 26691 (5 lines).

Cheltenham.—G. H. BAYLEY & SONS, Chartered Auctioneers and Estate Agents, Valuers, 27 Promenade, Tel. 2102. Established in Cheltenham over a century.

Cheltenham.—VIRGIN & RICHARDS, LTD., F.V.I., Incorporated Valuers and Estate Agents, 3 Clarence Parade. Tel. 56351.

Cheltenham.—YOUNG & GILLING (J. T. Walford, A.R.I.C.S., A. W. Allard, F.A.L.P.A.), Auctioneers, Surveyors and Valuers. Established over a century, 3 Crescent Terrace, Cheltenham. Tel. 2129 and 2433.

Cirencester.—HOBB & CHAMBERS, Chartered Surveyors, Chartered Auctioneers and Estate Agents. Tel. Cirencester 62/63.

Gloucester.—SANDOE & SONS, Chartered Auctioneers and Estate Agents, Valuers, 4/5 Market Parade.

HAMPSHIRE

Aldershot, Farnborough, Fleet, Hartley Wintney, Alresford and Winchester.—ALFRED PEARSON & SON (Established 1900), Surveyors, Valuers, Auctioneers and Estate Agents.

136 Victoria Road, Aldershot (Tel. Aldershot 17): Clock House, Farnborough (Tel. Farnbor. 1-2 lines); Fleet Road, Fleet (Tel. Fleet 1056-3 lines); High St., Hartley Wintney (Tel. Hartley Wintney 233); 25 West Street, Alresford (Tel. Alresford 274); Walcot Chambers, High Street, Winchester (Tel. Winchester 3380-2 lines).

Aldershot and Surrey and Hants Borders.—KINGHAM & KINGHAM, Auctioneers, Estate Agents, Surveyors and Valuers, Bank House, Grovenor Road, Aldershot. Tel. 23353.

Alresford.—CUBITT & WEST. Tel. 335. Valuers, Surveyors, Estate Agents.

Alton.—EGGAR & CO., Incorporating CURTIS & Watson, Surveyors, Auctioneers, Land & Estate Agents, Ackender House. Tel. 2401/2. And at Farnham, Surrey, and Basingstoke.

Andover.—F. ELLEN & SON, Land Agents, Auctioneers, Valuers and Surveyors, London Street. Tel. 3444 (2 lines). Established 1845.

Basingstoke.—BATESON & NICHOLAS, Auctioneers, Estate Agents, Surveyors and Valuers, 2 Queen Parade (next G.P.O.), New Street. Tel. 566/567.

Basingstoke.—EGGAR & CO., Incorporating CURTIS & Watson, Surveyors, Auctioneers, Land & Estate Agents, 36 Winchester Street, Tel. 2255/6. And at Farnham, Surrey and Alton.

Basingstoke.—SIMMONS & SONS, Surveyors, Valuers, Estate Agents and Auctioneers. Tel. 199.

Bournemouth.—FOX & SONS, Surveyors, Valuers and Auctioneers, 44/52 Old Christchurch Road. Tel. Bournemouth 6300 (10 lines). Branch Offices in all Bournemouth districts and at Parkstone, Ringwood, New Milton, Southampton, Brighton and Worthing.

Bournemouth.—RUMSEY & RUMSEY, Head Office, 111 Old Christchurch Road. Tel. Bournemouth 21212. 14 Branch Offices in Hants and Dorset and the Channel Islands.

Fleet.—H. J. POULTER & SON, Estate Agents, Surveyors and Valuers, Central Estate Offices. Tel. 66.

Gosport.—LAWSON & CO., F.V.I., Estate Agents, Valuers, etc. 9 Brockhurst Road. Tel. 83300 (2 lines).

Gosport.—L. VAIL, F.R.I.C.S., Chartered Surveyor. 79 High Street. Tel. 8732.

Havant, Cosham, Portsmouth, Hayling Island.—WHITEHEAD & WHITEHEAD, Chartered Auctioneers and Estate Agents, 5 West Street, Havant (Tel. 1244/5, 82 High Street, Cosham, Tel. 77131 and 77148). Hayling Island (Tel. 77131 and 77148).

Lymington and Milford-on-Sea.—JACKMAN AND MASTERS (Est. 1886), Auctioneers, Valuers, etc. Tel. Lymington 3292/3.

Lymington and New Forest.—HEWITT & CO., F.A.I., Chartered Auctioneers and Estate Agents. Surveyors and Valuers. High Street. Tel. Lymington 2393/4.

New Milton and Barton-on-Sea.—HEWITT & CO., F.A.I., New Milton. Tel. 43.

HAMPSHIRE (continued)

Petersfield.—CUBITT & WEST. Tel. 213. Valuers, Surveyors, Estate Agents.

Portsmouth.—P. G. LUDLOW, Angelstein Road, North End. Tel. 61441/2.

Southampton.—PRING & CO., F.A.I., 40 The Avenue. Tel. 22171/2.

Southampton and New Forest.—DRIVERS, JONAS & CO. (Est. 1725), Incorporating Waller & King, Chartered Surveyors, Land Agents, Auctioneers and Estate Agents, 17 Cumberland Place, Southampton. Tel. Southampton 24545.

Winchester.—SAVAGE & WELLER, Surveyors, Auctioneers, Valuers and Estate Agents, 25 St. Thomas Street, Winchester. Tel. Winchester 2531.

HEREFORDSHIRE

Hereford.—GREENLANDS, LTD., Auctioneers, Estate Agents, Valuers. Church Street. Tel. 2366 (4 lines).

HERTFORDSHIRE

All W. Herts, S. Bucks.—(Messrs.) J. GIBSON CRACKNELL, Surveyors and Valuers, Est. 1897. 59 Whippendell Road, Watford. Tel. 29205.

Berkhamsted and Hemel Hempstead.—R. J. AITCHISON, F.A.I., M.R.S.A.

Chestnut, Cuffley, Waltham Cross and District.—ROBERT TIDEY & SON, Waltham Cross. Tel. 22964.

Hertford.—NORRIS & DUVAL, F.R.I.C.S., F.A.I., 106 Fore Street. Tel. 2249.

Hitchin.—J. EVE & SON, 5 Bancroft. Surveyors, Land Agents, Auctioneers and Valuers. Tel. 2166.

H. Herts and S. Beds.—W. & H. PEACOCK, Chartered Surveyors. 8 High Street, Baldock, Herts. Tel. 2185.

Rickmansworth, Chorleywood.—SWANNELL & SLY, 53 High Street, Rickmansworth. Tel. 3141. Valuers, Auctioneers, etc.

Tring, Hemel Hempstead and Berkhamsted.—W. BROWN & CO., Urban and Agricultural practice. Head Office: 41 High Street, Tring. Tel. 2235/6.

ISLE OF WIGHT

Bembridge, Cowes, Freshwater, Newport, Ryde, Sandown, Shanklin, Seaview, Ventnor and Yarmouth.—SIR FRANCIS PITTS & SON, Chartered Surveyors and Chartered Auctioneers.

Cowes, Newport and all Districts.—A. E. & S. C. WADHAM, F.A.L.P.A. (Est. 1860), Cowes. Tel. 1141 (2 lines).

Newport, Ryde, Freshwater, Sandown, Bembridge.—WAY, RIDDETT & CO.

KENT

Ashford.—GEERING & COLYER, Auctioneers, Surveyors and Estate Agents, Bank Chambers, Ashford, and at Hawkhurst and Tunbridge Wells, Kent; Rye, Wadhurst and Heathfield, Sussex.

Beckenham.—CHRISTOPHER B. CURTIS, M.B.E., Surveyor and Valuer. 257a Croydon Road. Tel. BEckenham 1000.

Beckenham.—JOLLY & WOOD, 4 The Broadway, Croydon Road. Tel. Beckenham 1430.

Bexleyheath.—ARTHUR KENT & CO., LTD., Surveyors, Valuers and Estate Agents. 124/6 Broadway. Tel. 1244/5.

Bromley.—WATERER & DICKINS, Chartered Surveyors, Chartered Auctioneers & Estate Agents, Valuers, 133 High Street, Bromley, Kent. Telephone RAvenbourne 0147/8.

Canterbury.—FARQUHARSON & MILLARD, F.R.I.C.S., F.A.I., 80 Castle Street, Canterbury. Tel. 4861/2.

East Kent.—WORSFOLD & HAYWARD, offices at 3 Market Square, Dover; 11 Queen Street, Deal; 4 St. Margaret's Street, Canterbury; and 12 Preston Street, Faversham. Established 1835.

Folkestone.—GEO. MILNE & CO., Auctioneers and Valuers, 107 Sandgate Road. Tel. 2619.

Folkestone.—TEMPLE, BARTON, LTD., F.A.L.P.A., 69 Sandgate Road. Tel. 2258/9.

Folkestone and District.—BANKS & SON (P. R. Bean, F.R.I.C.S., F.A.I.), Chartered Surveyors, Chartered Auctioneers, etc. 6 Bourne Square, Folkestone. Tel. 4509/3559.

Folkestone and District.—SMITH-WOOLLEY & CO., Chartered Surveyors, Chartered Land Agents, Valuers, Estate Agents, Manor Office. Tel. 51201/2.

Gravesend and Dartford.—PORTER, PUTT AND FLETCHER, F.A.I., Incorporating DANN & LUCAS. Tel. Gravesend 3188 and Dartford 3126.

Gravesend and District.—WINNETT, Auctioneers, Estate Agents and Valuers, 155 Milton Road, Tel. Grav. 2229.

Marine Bay.—E. IGGULDEN & SONS (B. Smith, A.R.I.C.S., A.A.I., L. Pitcher), Surveyors, Valuers and Auctioneers, 128 High Street. Tel. 619/620.

Hythe, Saltwood, Romney Marsh and District.—F. W. BUTLER, 86 High Street, Hythe. Tel. Hythe 64022/3.

Maidstone and District.—COUCHMAN & SON, Chartered Surveyors, Chartered Auctioneers and Estate Agents, 42 King Street. Tel. 2558 and 2591.

Maidstone and Mid-Kent.—EVENS & MATTIA, A.J.I., M.R.S.A., 70 King Street, Maidstone. Tel. 51283.

Orpington, Petts Wood and West Kent.—MULLOCK (A. F.) & GOWER (A. F. Mullock, J.P., F.A.L.P.A., C. H. Gower, F.A.I.), 161 High Street, Tel. Orp. 25681/2. And Station Square, Petts Wood. Tel. Orp. 23444.

(Continued on p. xx)

Please mention "THE SOLICITORS' JOURNAL" when replying to Advertisements

REGISTER OF

Auctioneers, Valuers, Surveyors, Land and Estate Agents

KENT (continued)

Ramsgate.—LESLIE HOGBIN, F.R.I.C.S., Chartered Surveyor, Auctioneer, Valuer and Estate Agent, 50 Queen Street, Tel. Thanet 53222/3.
 Ramsgate and District.—HOLNESS & OVENDEN, F.A.I., Chartered Auctioneers and Estate Agents, Valuers and Surveyors, Estate House, 73 High Street, Ramsgate, Tel. Thanet 52206/7. Established 1838.
 Sandwich and East Kent.—G. C. SOLLEY & CO. Offices : 50 King Street, Sandwich, Tel. 3227.
 Sevenoaks.—KEMP & THOMAS, F.A.L.P.A., Estate Agents and Valuers, 11a London Road (Tel. 2916).
 Tenterden and the Weald of Kent.—HATCH AND WATERMAN, F.A.I. (Est. 1830), Chartered Auctioneers and Estate Agents, Tenterden, Tel. 33.
 Tonbridge and District.—NEVE & SON, F.A.I., 146 High Street, Tonbridge, Tel. 3223.
 Tunbridge Wells.—DILNOTT STOKES, Chartered Surveyors and Auctioneers, 17 Mount Pleasant, Tel. 3000/1.
 Welling.—WM. PORTER & CO., LTD., 28 Falconwood Parade, The Green, Tel. Bexleyheath 2977.

LANCASHIRE

Blackpool and District.—AIREYS', Chartered Auctioneers and Estate Agents, Valuers and Surveyors, 18 Dickson Road, Blackpool, Tel. 22225/6.
 Blackpool and Fylde Coast.—ENTWISTLE & CO., Auctioneers, Valuers and Estate Agents, Station Chambers, 2 Dickson Road, Blackpool, Tel. 200934.
 Grange-over-Sands.—MICHAEL C. L. HODGSON, Auctioneers and Valuers, Tel. 2253.
 Liverpool.—BOULT, SON & MAPLES, 5 Cook Street, Tel. Central 9941 (7 lines). And at West Kirby.
 Liverpool.—SMITH & SONS (Est. 1840), Valuers, etc., 6 North John Street, Central 9386. And at Birkenhead.
 Liverpool and District.—JOS. RIMMER & SON, 14/20 South Castle Street, Liverpool, 1. Tel. MARitime 1066, and at Birkenhead and Ellesmere Port. Chartered Surveyors, Auctioneers and Estate Agents.
 Liverpool and Wirral.—T. MARTIN BROWN, F.A.I., Valuer & Estate Agent, Coopers Buildings, Church Street, Liverpool, 1. Tel. Royal 3373/4 and 3 Garston Old Road, Liverpool, 19. Tel. Garston 358.
 Manchester.—ALFRED H. GARDNER & SON, F.A.I., Chartered Auctioneers and Estate Agents, 56 Mosley Street, Tel. Central 8895/6. And at Cheshire, Hulme.
 Manchester.—CLAYTON, SON & CROWTHER, Auctioneers, Valuers and Estate Agents, 76 Mosley Street, Manchester, 2. Tel. Can. 4945/4.
 Manchester.—STUART MURRAY & CO., Auctioneers, etc., 64 Bridge Street, Tel. Blackfriars 5747. And at Altringham.
 Manchester and Oldham.—LESLIE D. CLEGG MORGAN & CO., Chartered Surveyors, Specialists in Town Planning, Rating and Compensation, Prudential Buildings, Union Street, Oldham, Tel. Main (Oldham) 6401/3. And at 65 Princess Street, Manchester, 2. Tel. Central 7755.
 Preston.—E. J. REED & SONS, F.A.I., Chartered Auctioneers and Estate Agents, 47 Fishergate, Tel. 3249.
 Reculver.—ROSSALL, DALBY & PARKER, Auctioneers and Valuers, 5 Backwater Street, Tel. 3677.
 Rochdale and District.—R. BIRTWELL & SON, Chartered Auctioneers and Estate Agents, Valuers, 5 Baillie Street, Tel. 2826.
 Rochdale and District.—SHEPHERD LUMB & CO., Auctioneers, etc. The Public Hall, Baillie Street, Tel. 3826.

LEICESTERSHIRE

Leicester.—DONALD BOYER, F.A.I., Chartered Auctioneer & Estate Agent, Valuer-Mortgage, Probate Insurance, Northampton Street, Tel. 21564 (and Rugby).
 Leicester and County.—RANDLE & ASPEL (F. E. J. Randle, F.V.I., C. G. Hale, F.A.I., A.A.L.P.A., G. H. Aspel, A.R.I.C.S., F.A.I., M.R.San.J.), 74 Halford Street, Tel. 51378.
 Market Harborough.—HOLLOWAY, PRICE & CO., Est. 1809. Chartered Surveyors, Chartered Auctioneers, Tel. 2411.

LINCOLNSHIRE

Grantham and District.—BAILEY & AMBLER, Chartered Auctioneers and Estate Agents, Westminster Bank Chambers, Grantham, Lincs. Tel. 418 (2 lines).
 Scunthorpe and District.—SPILMAN, GLASIER AND LONSDALE, Chartered Auctioneers and Estate Agents, Surveyors and Valuers, 72 Mary Street, Scunthorpe, Tel. 3803. Est. over 75 years.
 Spalding.—S. & G. KINGSTON, F.A.I., Auctioneers, etc., Hall Place Chambers, Tel. 2011.

MIDDLESEX

Edgware.—E. J. T. NEAL, F.R.I.C.S., F.A.I., 39 Station Road, Tel. EDG 0123/4.
 Enfield and North London.—CAMPION & DICKINS, Surveyors, Valuers, etc., 28 Little Park Gardens, Enfield, Enfield 1224/5.
 Harrow.—CORBETT ALTMAN & CO., F.R.I.C.S., F.A.I., Chartered Surveyors, Chartered Auctioneers and Estate Agents, 40 College Road, Harrow, Tel. Harrow 6222. Also Rating, Compensation and Planning Surveyors.

MIDDLESEX (continued)

Harrow.—E. BECKETT, F.A.I., Surveyor, Chartered Auctioneer and Estate Agent, 7 College Road, Harrow, Tel. Harrow 5216. And at Sudbury, Wembley, North Harrow and Moor Park, Northwood.
 Harrow.—P. N. DEWE & CO., See "London Suburbs" Section, Established 1925.
 Harrow.—WARNER & CO. (T. A. Warner, F.A.L.P.A.), Surveys, Valuations, etc., Specialists in Urban Estate Management, 51 Station Road, North Harrow, Tel. Harrow 9636/7/8.
 Harrow.—G. J. HERSEY AND PARTNER, Chartered Auctioneers and Surveyors, 44 College Road, Harrow, Middlesex, Telephone No.: Harrow 7484/7441 and at Prudential Chambers, Grey Friars, Leicester. Telephone No. Leicester 57077.
 Harrow and District.—BARR & MEAD, C. Grainger, F.A.L.P.A., M.R.San.J. B. C. Grainger, A.A.I. 202 Northolt Road, South Harrow, Byron 1023, and 15 College Road, Harrow, Harrow 5178. Also at Ruislip and Pinner.
 Hayes.—KEVIN & FIELD, LTD. (Lister 5. Camps, P.F.S. F.V.I., M.R.S.H.), Grange Chambers, Uxbridge Road, Tel. Hayes 3691/2.
 Hounslow.—ROPER, SON & CHAPMAN, Auctioneers, Surveyors, etc., 162 High Street, Tel. HOU 1184.
 Moor Park and Northwood.—E. BECKETT, F.A.I., Surveyor, Chartered Auctioneer and Estate Agent, MOOR PARK ESTATE OFFICE, Moor Park Station, Northwood, Tel. Northwood (NH2) 4131. And at Harrow, North Harrow and Sudbury, Wembley.
 Northwood.—GILBERT LUCK, F.A.L.P.A., Surveyors and Valuers, 58 Green Lane, Northwood. Tel. 2352/3/4, and 111 Pinner Road, Northwood Hills.
 Northwood and Pinner.—SWANELL & SLY, 3 Maxwell Road, Northwood. Tel. 19. Valuers, Auctioneers, etc.
 Pinner and District.—BARR & MEAD, C. Grainger, F.A.L.P.A., M.R.San.J. B. C. Grainger, A.A.I. 2 High Street, Pinner, Pinner 7800. Also at South Harrow, Harrow and Ruislip.
 Pinner (Hatch End).—BRODIE, MARSHALL & CO., Auctioneers, Valuers and Estate Agents, 339 Uxbridge Road, Hatch End. Telephone Hatch End 2238 and 2239.
 Ruislip and District.—BARR & MEAD, C. Grainger, F.A.L.P.A., M.R.San.J. B. C. Grainger, A.A.I. 198 High Street, Ruislip, Ruislip 2215. Also at South Harrow, Harrow and Pinner.
 Ruislip, Ickenham and District.—JOHN MEACOCK AND CO., 123/125 High Street, Ruislip, Tel. Ruislip 3072/3/4, and opposite the Church, Ickenham. Tel. Ruislip 5747.
 Southall and Greenford.—AUSTIN FARR & CO., Chartered Surveyors, Chartered Auctioneers and Estate Agents, 11 South Road, Southall, SOU 6555 (5 lines). 45 The Broadway, Greenford, WAX 4642/4438.
 Wembley Park.—LLOYDS (Principal D. J. Westmore, F.R.I.C.S., M.R.San.J.), Chartered Surveyors, Auctioneers and Valuers, 13 Bridge Road, Tel. Arnold 1123/4 West Drayton and Yiewsley.—R. WHITLEY & CO., Chartered Auctioneers and Estate Agents, 40 Station Road, Tel. W. Drayton 2185.

NORFOLK

Cromer.—R. J. WORTLEY, F.R.I.C.S., Chartered Surveyor, etc., 15 Church Street, Tel. Cromer 2069.
 Norwich.—ALDRIDGE & PARTNERS, 22 Surrey Street, Surveyors and Estate Agents, Tel. Norwich 25517/8.
 Norwich.—CLOWES, NASH & THURGAR, Est. 1848 (H. M. Thurgar, F.A.I., R. F. Hill, F.A.L.P.A., C. M. Thurgar, A.A.I.) 6 Tombland, Tel. 27261/2.
 Norwich.—J. E. TAYLOR, Auctioneer and Estate Agent, 25 Tombland, Tel. 26638.
 Norwich and East Anglia.—K. H. FIELDING & SON (J. L. Fielding, F.R.I.C.S., F.A.I.), Chartered Surveyors, etc., 1 Upper King Street, Norwich, Tel. 22980.
 West Norfolk.—CRUSO & WILKIN, Chartered Auctioneers and Estate Agents, 27 Thursday Market Place, King's Lynn, Tel. King's Lynn 3111/2.

NORTHAMPTONSHIRE

Northampton and Daventry.—MERRY, SONS & CO., LTD., Auctioneers, Valuers and Estate Agents, 9 Fish Street, Northampton, Tel. 136, 33 Sheep Street, Daventry, Tel. 336.
 Northampton and District.—WOODS & CO., F.A.I., Chartered Auctioneers and Estate Agents, Valuers, 18 Castilian Street, Northampton, Tel. 3300/1. Established 85 years.
 Peterborough and District.—DAKING & DAKING, Est. 1887. Auctioneers, Valuers, Surveyors and Estate Agents, Broadway, Peterborough, Tel. 5245/6.
 Peterborough and District.—FOX & VERGETTE, Auctioneers, Valuers, Surveyors and Estate Agents, 16 Priestgate, Tel. 4261/2. Est. over 150 years.
 Peterborough and Adjoining Counties.—NORMAN WRIGHT & PARTNERS, Surveyors and Auctioneers, 26 Priestgate, Peterborough, Tel. 5695/6.

NORTHUMBERLAND

Newcastle upon Tyne, covering the North.—HINDMARSH, HEPPELL & BOURN (Est. 1862), Chartered Auctioneers and Estate Agents, Surveyors, 61 Westgate Road, Newcastle upon Tyne. And at Wallsend-on-Tyne.

(Continued on p. xxi)

Please mention "THE SOLICITORS' JOURNAL" when replying to Advertisements

NORTHUMBERLAND AND DURHAM

HINDMARSH & PARTNERS, Chartered Surveyors, Valuers, Auctioneers and Estate Agents, 49 Park View, Whitley Bay (Tel. 2351/2), 107 Northumberland St., Newcastle (Tel. 610081 (4 lines)). And at Gateshead and Alnwick.
 Newcastle.—DAVID A. LARMOUR & SON, F.R.I.C.S., F.A.I., Savile Row, Tel. Newcastle 2072/8.
 WALLHEAD GRAY & COATES, Chartered Auctioneers and Estate Agents, Surveyors and Valuers, 84 Pilgrim Street, Newcastle. (Tel. 27471/2) 75 West Street, Gateshead. (Tel. 72197.) 7 Priestopple, Hexham. (Tel. 302.) 26 Frederick Street, Sunderland. (Tel. 2544.)

NOTTINGHAMSHIRE

Newark.—EDWARD BAILEY & SON, F.A.I., Chartered Auctioneers and Estate Agents, Surveyors and Valuers, 7 Kirkgate, Newark. Tel. 39.
 Nottingham.—ROBERT CLARKE & CO., Chartered Auctioneers and Rating Valuers, Oxford Street, Tel. 42534/5.
 Nottingham.—WALKER, WALTON & HANSON, Chartered Surveyors and Valuers, Chartered Auctioneers and Estate Agents, Byard Lane, Est. 1841. Tel. Nottingham 54272 (7 lines).
 Retford.—HENRY SPENCER & SONS, Auctioneers, 20 The Square, Retford, Notts. Tel. 531/2. And at 4 Paradise Street, Sheffield. Tel. 25206. And 91 Bridge Street, Worksop. Tel. 2654.

OXFORDSHIRE

Bicester, Thame and Oxford.—E. P. MESSENGER & SON, Chartered Surveyors, Auctioneers, Valuers, etc. Thame 263/4; Bicester 10; and Oxford 47281.
 Oxford and District.—BUCKELL & BALLARD, F.A.I., 1887. R. B. Ballard, F.A.L.P.A., H. L. F. Ryan, F.R.I.C.S., F.A.I., H. S. Ballard, F.R.I.C.S., F.A.I., 58 Cornmarket Street, Oxford, Tel. 44151. Also at Wallingford, Berks. Tel. 3205 and Wantage, Berks. Tel. 611.

Oxford, Banbury and surrounding districts.—E. J. BROOKS & SON, F.A.I. (Established 1840), Chartered Auctioneers and Estate Agents, Surveyors and Valuers, "Gloucester House," Beaumont Street, Oxford. (Tel. 4535/6) and 54 Broad Street, Banbury. (Tel. 2670).

Thame and District.—PERCY BLACK & CO., Chartered Surveyors, Chartered Auctioneers and Estate Agents, 60 North Street, Tel. 208.

SHROPSHIRE

Craven Arms.—JACKSON & McCARTNEY, Chartered Auctioneers, Valuers and Estate Agents, Tel. 2185.
 Shrewsbury.—HALL, WATERIDGE & OWEN, LTD., Chartered Auctioneers, Valuers and Estate Agents, Tel. 2081.
 Shrewsbury and South Shropshire.—DEAKIN & COTTERILL, B. Wyke Cop, Shrewsbury, Auctioneers, Estate Agents and Valuers. Tel. 5306 and 2313. And at Church Stretton.
 Wellington.—BARBER & SON, Auctioneers, Valuers, Surveyors and Estate Agents, 1 Church Street, Tel. 27 and 44 Wellington.
 Whitchurch.—JOSEPH WRIGHT, Auctioneers, Valuers and Estate Agents, 16 Watergate Street, Whitchurch. Tel. 2962 and 2157.

SOMERSET

Bath and District and Surrounding Counties.—COWARD, JAMES & CO., incorporating FORTT, HATT & BILLINGS (Est. 1903), Surveyors, Auctioneers and Estate Agents, Special Probate Department, New Bond Street Chambers, 14 New Bond Street, Bath. Tel. Bath 3150, 3594, 4268 and 61360.
 Bath and District.—Estate Agents, Auctioneers and Valuers, Valuations for Probate, Mortgage, etc. HALLETT & CO., 3 Wood Street, Queen Square, Bath. Tel. 3779 and 2118.

Bath and District.—JOLLY & SON, LTD. (Est. 1825) Estate Agents and Valuers, Funeral Directors, Probate Valuers, Chastell Auction Rooms, Milson Street, Bath. (Tel. 3201.)

Bath, Bristol and Districts.—LOUIS POWELL & CO., incorporated Auctioneers, Estate Agents and Valuers, 1 Princes Building, Bath. Tel. 2127.

Bath and South West.—CRISP'S ESTATE AGENCY (C. Cowley, F.V.I., Incorporated Surveyor and Valuer, J. L. Cowley, A.A.I., Chartered Auctioneer and Estate Agent) (Est. 1879), Abbey Chambers, York Street, Bath. Tel. 3606 and 61706.

Crowcombe.—23 miles radius.—TAYLOR & CO., Auctioneers, Valuers, Surveyors, Estate Agents, Tel. 546.

Taunton and District.—C. R. MORRIS, SONS AND PEARD, Land Agents, Surveyors, Valuers, Auctioneers, 6a Hammett Street, Tel. 2546. North Curry, Tel. 319.

Weston-super-Mare.—LALONDE BROS. & PARHAM (Est. 1840), 23 Waterloo Street (Tel. 4500); and at Bristol.

Weston-super-Mare and District.—MASTERS & CO., F.R.I.C.S., F.A.I., Chartered Surveyors, Chartered Auctioneers and Estate Agents, 5 High Street.

Yeovil and District.—PALMER, SNELL & CO., Chartered Auctioneers and Estate Agents, Surveyors and Valuers, Yeovil. Tel. 25 or 1796.

REGISTER OF

Auctioneers, Valuers, Surveyors, Land and Estate Agents

STAFFORDSHIRE

Stoke-on-Trent and North Staffs. — CHARLES BUTTERS & SONS, Established 1856, Chartered Auctioneers, Surveyors, Valuers and Estate Agents, Trinity Buildings, Hanley, Stoke-on-Trent. Tel. 2138/9. Also at Leek.

SUFFOLK

Bury St. Edmunds and East Anglia. — LACY SCOTT AND SONS, 3 Hatter Street, Bury St. Edmunds. Phone 43 and 692.

Ipswich and East Anglia. — SPURLINGS & HEMPSON (Est. 1780), Chartered Surveyors, Chartered Auctioneers 26 Princes Street, Ipswich. Tel. 51807/8.

Ipswich and East Anglia. — WOODCOCK & SON, 16 Arcade Street, Ipswich. Tel. 54352 (2 lines). Specialists in Selling Country Property and Farms. Established 1850.

Lowestoft and Districts. — GAGE & CO., 87/89 London Road South. Tel. 3158.

Woodbridge and East Suffolk. — ARNOTT & CALVER, Auctioneers and Valuers. Est. 1870. Tel. 179.

SURREY

Addiscombe, Shirley, Croydon. — MILLER, WILKINS AND CO., Auctioneers, Surveyors and Valuers. 191 Lower Addiscombe Road. Tel. ADDISCOMBE 2233/4; and 142 Wickham Road, Shirley. Tel. ADDISCOMBE 4021.

Camberley. — GIDDY & GIDDY, Estate House, London Road. Tel. 1919.

Camberley (Hants and Berks Borders). — SADLER AND BAKER, Chartered Auctioneers and Estate Agents, 95 High Street. Est. 1880. Tel. 4331 (3 lines).

Caterham and District, Sanderstead to Purley. — J. C. O'BRIEN, Station Avenue, Caterham. Tel. 4255 and 348. Limpsfield Road, Sanderstead. Tel. 4426.

Cobham. — EW-BANK & CO., in association with Mann and Co. Est. 1891. Tel. 47. Offices throughout West Surrey.

Coulsdon. — SINDEN, TOMKINS & KING, F.A.L.P.A., Valuers, Surveyors and Estate Agents, 26 Chipstead Valley Road. Tel. UPLANDS 0600.

Croydon. — BLAKE, SON & WILLIAMS, Est. 1798. Chartered Auctioneers and Estate Agents, Surveyors and Valuers, 51 High Street, Croydon. CROYDON 7155/6.

Croydon, Addiscombe and Area. — BOWDITCH & GRANT, (Est. 1881.) Surveyors, Valuers, Auctioneers, 103/105 George Street, Croydon. Tel. CRO 0138/9.

Croydon and District. — JOHN P. DICKINS & SONS, Surveyors, Valuers and Estate Agents. Est. 1882. 2 and 4 George Street, Croydon. CROYDON 3128/29/20.

Croydon and London. — HAROLD WILLIAMS AND PARTNERS, Chartered Surveyors, Valuers, Chartered Auctioneers and Estate Agents, 80 High Street, Croydon. Tel. Croydon 1931. And at Temple Chambers, Temple Avenue, E.C.4. Tel. Ludgate Circus 9288.

Croydon and Sutton. — SAINT, SYMINGTON AND STEDMAN, Surveyors, Auctioneers and Valuers. 106 High Street, Croydon. Tel. CRO 2216/7. And at 6 Cheam Road, Sutton. Tel. VIG 7616/7.

Dorking. — ARNOLD & SON, Auctioneers & Surveyors, 171 High Street and branches. Est. 1855. Tel. 2201/2.

Dorking. — WHITE & SONS, 104 High Street, Agricultural and General Surveyors and Valuers. Tel. 3255.

Dorking. — PEARSON, COLE & SHORLAND, Surveyors, Valuers and Auctioneers, 279 High Street, Dorking. Tel. 3697/8. And at Reigate.

Dorking, Bookham and Effingham. — CUBITT AND WEST. Tel. Dorking 2212, Bookham 2744. Valuers, Surveyors, Estate Agents.

Dorking and Reigate. — A. R. & J. GASCOIGNE-PEES, F.A.L.P.A., Auctioneers, Estate Agents and Surveyors, 258/260 High Street, Dorking. Tel. 4071/2. 6 Church Street, Reigate. Tel. 4422/3. And at Leatherhead and Epsom.

Epsom and Leatherhead. — A. R. & J. GASCOIGNE-PEES, F.A.L.P.A., Auctioneers, Estate Agents and Surveyors, 21 High Street, Epsom. Tel. 4045/6. 4 Bridge Street, Leatherhead. Tel. 4133/4. And at Reigate and Dorking.

Esher. — EW-BANK & CO., in association with Mann & Co. Est. 1891. Tel. 3537/8. Offices throughout West Surrey.

Esher. — W. J. BELL & SON, Chartered Surveyors, Valuers, Auctioneers and Estate Agents, 51 High Street. Tel. Esher 3551/2.

Ewell, Epsom, Leatherhead and adjoining areas. — DOUGLAS, F.A.L.P.A., 10 High Street, Epsom. Tel. 2362/4. (Four other offices.)

Ewell. — WILTSHIRES, Estate Agents, Surveyors, Auctioneers and Valuers, 55 High Street. Tel. Ewell 1665/5.

Farnham. — H. B. BAVERSTOCK & SON, Chartered Auctioneers and Estate Agents, 4 Castle Street. Tel. 5742 (2 lines).

Farnham. — CUBITT & WEST. Tel. Farnham 5761. Valuers, Surveyors, Estate Agents.

Farnham. — EGGER & CO., Incorporating CURTIS & WATSON, Surveyors, Auctioneers, Land & Estate Agents, 74 Castle Street. Tel. 6221/3. And at Alton and Basingstoke, Hants.

SURREY (continued)

Farnham. — GERMAN, ADDY & CO. (Est. 1903). Chartered Auctioneers and Estate Agents, Surveyors and Valuers, 111 West Street. Tel. 5283/4.

Farnham. — WHITEHEAD & WHITEHEAD, amal. HEWETT & LEE, 32 South Street. (Tel. 6277).

Godalming. — H. B. BAVERSTOCK & SON, Chartered Auctioneers and Estate Agents, Estate Offices. Tel. 1722 (5 lines).

Guildford. — MANN & CO., Est. 1891, 22 Epsom Road, Tel. 62911/2. Offices throughout West Surrey.

Guildford. — MESSENGER, MORGAN & MAY, Chartered Surveyors, 8 Quarry Street. Tel. 2992/4.

Guildford. — WHITEHEAD & WHITEHEAD, amal. HEWETT & LEE, 144 High Street. (Tel. 2811/2.)

Haslemere. — H. B. BAVERSTOCK & SON, Chartered Auctioneers and Estate Agents, 20 High Street. Tel. 1207.

Haslemere and Hindhead. — CUBITT & WEST. Tel. Haslemere 2345/67. Hindhead 63. Valuers, Surveyors, Estate Agents.

Kingston. — A. G. BONSOR, STEVENS & CO., Est. 1899, 82 Eden Street. Tel. KIN 0022.

Kingston. — NIGHTINGALE, PAGE & BENNETT, Est. 1825. Chartered Surveyors, 18 Eden Street. Tel. KIN 3356.

Kingston upon Thames and Area. — BENTALLS ESTATE OFFICES (L. J. SMITH, F.A.L.P.A., F. P. PARKINSON, B.Sc., A.A.L.P.A.), Wood St. KIN 1001. Sales, surveys, property and chattel valuations, lettings, management, Leatherhead, Ashtead, Oxshott, Charlton.

Leatherhead, Ashtead, Oxshott. — OSENTON AND CO., Chartered Auctioneers, 36 North Street, Leatherhead. (Tel. 3001/2); Ashtead 2382, Oxshott 3344.

Mitcham. — LEONARD DAVEY & HART, Chartered Surveyors, Auctioneers, Valuers and Estate Agents, Upper Green. Tel. MITCHAM 6101/2.

Oxshott. — W. J. BELL & SON, Chartered Surveyors, Valuers, Auctioneers and Estate Agents, 51 High Street, Esher. Tel. Esher 4331 (2 lines).

Redhill and Merton. — E. H. BENNETT & PARTNERS, Auctioneers and Valuers. Tel. Redhill 3672. Merton 2234/5.

Reigate. — MARTEN & CARNABY, Surveyors, Auctioneers and Valuers, 23 Church Street. Tel. 3361/2.

Reigate. — PEARSON, COLE & SHORLAND, Surveyors, Valuers and Auctioneers, 4 Bell Street, Reigate. Tel. 4371/2. And at Dorking.

Richmond. — ACLAND & CO., Estate Agents, Surveyors and Valuers. Rents collected, 27 Kaw Road (Opposite Richmond Station). Tel. RIC 4011/2.

Richmond. — PENNINGTONS, 23 The Quadrant, Auctions, Valuations, Surveys. Rents collected. Tel. RIC 2255 (3 lines).

Sutton. — E. W. WALLAKER & CO., F.A.L.P.A., Surveyors, Valuers, Auctioneers and Estate Agents, 56/7 Victoria Road, Sutton. Tel. ELMBRIDGE 5381/4, and at Chessington, Surrey, Shorsham-by-Ses and Lancing, Sussex. (Chartered Surveyor D. J. Paschey, F.R.I.C.S.)

Sutton. — DOUGLAS GRAHAM & CO., Estate Agents, Property Managers, 269 High Street. Tel. VIG 0026/7/8. And at Thornton Heath, Norbury and Piccadilly, W.I.

Sutton. — IDRIS JONES & PARTNERS, F.R.I.C.S., F.A.I., 22 The Arcade, Sutton. Tel. VIGILANT 0162; and at 30 Abbey House, Westminster.

Thornton Heath. — LEONARD DAVEY & HART, Chartered Surveyors, Auctioneers, Valuers and Estate Agents, 781 London Road. Tel. THO 6211/2.

Thornton Heath. — DOUGLAS GRAHAM & CO., Estate Agents and Property Managers, 808 London Road. Tel. THO 3888 (4 lines). And at Norbury, Sutton and Piccadilly, W.I.

Virginia Water and Wentworth. — GOSLING AND MILNER, Station Approach, Virginia Water. Tel. Wentworth 2227. And at 8 Lower Grosvenor Place, Piccadilly, W.I.

Wallington. — WILLIAM A. DAVIS & PARTNERS, 4 Stanley Park Road. Tel. Wallington 2567.

Walton. — MANN & CO., Est. 1891, 38 High Street. Tel. 2331/2. Offices throughout West Surrey.

Walton and Weybridge. — HIBGY & CHARD (Consultants: George Green, M.A., F.R.I.C.S., V. C. Lawrence, F.R.I.C.S.), 45 High Street, Walton-on-Thames. Tel. 20487/8.

Walton/Weybridge. — WARING & CO., Est. 1890. Surveyors, Estate Agents, Auctioneers and Valuers. Tel. Walton-on-Thames 24151/2.

Wandsworth. — MANN & CO., incorporating Ewbanks and Co., Est. 1891. Tel. 3286/9. Offices throughout West Surrey.

Weybridge. — EW-BANK & CO., in association with Mann and Co. Est. 1891. Tel. 2323/5. Offices throughout West Surrey.

Weybridge and District. — J. E. PURDIE & SON, Chartered Surveyors and Estate Agents, 1 and 3 Queens Road, Weybridge. Tel. 3307 (3 lines), and at Walton-on-Thames.

Weybridge and District. — WATERER & SONS, Chartered Auctioneers and Estate Agents, Surveyors, etc. Tel. 2638/9.

Woking. — HOAR & SANDERSON, 5 Church Path. Tel. 3263/4. Eleven associated Surrey offices.

SURREY (continued)

Woking. — MANN & CO., Est. 1891, Chartered Surveyor. Tel. 3800 (6 lines). Offices throughout West Surrey.

Woking. — MOLDRAM, CLARKE & EDGLEY, Chartered Surveyors. Tel. 3419; and at Guildford.

SUSSEX

Angmering-on-Sea, Rustington, Worthing and Storrington. — BERNARD TUCKER & SON, Est. 1890. L. B. TUCKER, F.R.I.C.S., F.A.I., G. H. E. EVANS, F.A.L.P.A., W. J. BROWN, F.A.I. Tel. Rustington 1, Worthing 5708/9, Storrington 2535.

Arundel and Rustington. — HEASMAN & PARTNERS, Tel. Arundel 2232, Rustington 900.

Bexhill-on-Sea. — JOHN BRAY & SONS (Est. 1864), Estate Agents, Auctioneers and Valuers, 1 Devonshire Square, Tel. 14.

Bexhill-on-Sea and Little Common. — RICHES & GRAY (Est. 1883), Chartered Auctioneers and Estate Agents, 25 Sea Road, Bexhill-on-Sea. Tel. 34/5. And at 25 Cooden Sea Road, Little Common. Tel. Cooden 2939.

Brighton. — RAYMOND BEAUMONT, F.R.I.C.S., F.A.I., Chartered Surveyors, Chartered Auctioneers and Estate Agents, 35 East Street. Tel. Brighton 20163.

Brighton. — MELLOR & MELLOR, Chartered Auctioneers and Estate Agents, 110 St. James's Street. Tel. 682910.

Brighton and Worthing. — H. D. S. STILES & CO., F.R.I.C.S., F.A.I. (special rating diplomas), 6 Pavilion Buildings, Tel. Brighton 23244 (4 lines). 10 King's Bench Walk, Temple, E.C.4. Tel. Central 5356. 3 The Steyne, Worthing. Tel. Worthing 9192/3.

Brighton. — FRANK STONE & PARTNERS, F.A.L.P.A., 94 Queen's Road. Tel. Brighton 29252/3.

Brighton and Hove. — WILLIAM WILLETT, LTD., Auctioneers and Estate Agents, 52 Church Road, Hove. Tel. Hove 34055. London Office, Sloane Square, S.W.1. Tel. Sloane 8141.

Brighton, Hove and Surrounding Districts. — MAURICE P. HATCHWELL, F.R.I.C.S., F.A.I., Chartered Surveyor, Chartered Auctioneer and Estate Agents, 4 Bartholomew; Brighton, I. Tel. Brighton 23107.

Brighton, Hove and Surrounding Districts. — C. HORTON LEDGER, F.A.I., Established 1885 Chartered Auctioneers and Estate Agent, Surveyor and Valuer, "Sussex House," 126/7 Western Road, Hove, Tel. Sussex 1291.

Chichester and Bognor Regis. — WHITEHEAD & WHITEHEAD, Chartered Auctioneers and Estate Agents, South Street, Chichester. Tel. 3031 (5 lines). Station Road, Bognor Regis. Tel. 2237/8.

Crawley. — V.M. WOOD, SON & GARDNER, Estate Agents, Surveyors and Valuers. Tel. Crawley 1.

Crowborough. — DONALD BEALE & CO., Auctioneers, Surveyors and Valuers. The Broadway. Tel. Crowborough 3333.

Eastbourne. — FRANK H. BUDD, LTD., Auctioneers, Surveyors, Valuers, I. Bolton Road. Tel. 1860.

Eastbourne. — A. C. DRAYCOTT, Chartered Auctioneers and Estate Agents, 12 Gildredge Road. Tel. Eastbourne, 1285.

Eastbourne. — HEFFORD & HOLMES, F.A.I., Chartered Auctioneers and Estate Agents, 51 Gildredge Road. Tel. Eastbourne 7840.

Eastbourne. — OAKDEN & CO., Estate Agents, Auctioneers and Valuers, 24 Cornfield Road. Est. 1897. Tel. 1234/5.

Eastbourne and District. — PARNHAM & CO., Auctioneers, Estate Agents and Valuers, 6 & 44 Terminus Road, Eastbourne. Tel. 4433/4/5. Branch at 73 Eastbourne Road, Lower Willingdon, and 4 Grand Parade, Polegate.

East Grinstead. — MEERS, P. J. MAY (P. J. May and A. L. Aptiforp, F.R.I.C.S., F.A.I., M.R.S.A.I.), 2 London Road. Tel. East Grinstead 3156.

East Grinstead. — TURNER, RUDGE & TURNER, Chartered Surveyors. Tel. East Grinstead 700/1.

Hassocks and Mid-Sussex. — AYLING & STRUDWICK, Chartered Surveyors. Tel. Hassocks 882/3.

Hastings, St. Leonards and East Sussex. — DYER & OVERTON (H. B. Dyer, D.S.O., F.R.I.C.S., F.A.I.; F. R. Hynard, F.R.I.C.S.), Consultant Chartered Surveyors, Estd. 1892. 6-7 Havelock Road, Hastings. Tel. 5661 (3 lines).

Hastings, St. Leonards and East Sussex. — WEST (Godfrey, F.R.I.C.S., F.A.I.) & HICKMAN, Surveyors and Valuers, 50 Havelock Road, Hastings. Tel. 6688/9.

Haywards Heath and District. — DAY & SONS, Auctioneers and Surveyors, 115 South Road. Tel. 1580. And at Brighton and Hove.

Haywards Heath and Mid-Sussex. — BRADLEY AND VAUGHAN, Chartered Auctioneers and Estate Agents. Tel. 91.

Horsham. — KING & CHASEMORE, Chartered Surveyors, Auctioneers, Valuers, Land and Estate Agents. Tel. Horsham 3355 (3 lines).

Horsham. — WELLER & CO., Surveyors, Auctioneers, Valuers, Estate Agents. Tel. Horsham 3311. And at Guildford, Cranleigh and Henfield.

Hove. — DAVID E. DOWLING, F.A.L.P.A., Auctioneer, Surveyor, Valuer & Estate Agent, 75 Church Road, Hove. Tel. Hove 37213 (3 lines).

Hove. — PARSONS, SON & BASLEY (W. R. De Silva, F.R.I.C.S., F.A.I.), 173 Church Road, Hove. Tel. 34564.

(Continued on p. xxii)

Please mention "THE SOLICITORS' JOURNAL" when replying to Advertisements

REGISTER OF Auctioneers, Valuers, Surveyors, Land and Estate Agents

SUSSEX (continued)

Hove and District.—WHITLOCK & HEAPS, Incorporated Auctioneers, Estate Agents, Surveyors and Valuers, 65 Sackville Road, Tel. Hove 31822.
Hove, Portslade, Southwick.—DEACON & CO., 11 Station Road, Portslade, Tel. Hove 48440.
Lancing.—A. C. DRAYCOTT, Chartered Auctioneers and Estate Agents, 8-14 South Street, Lancing, Sussex. Tel. Lancing 2828.
Leeds and Mid-Sussex.—CLIFFORD DANN, B.Sc., F.R.I.C.S., F.A.I., Pitcroy House, Lawes, Tel. 4375. And at Ditchling, Hurstpierpoint and Uckfield.
Seaford.—W. G. F. SWAYNE, F.A.I., Chartered Auctioneer and Estate Agent, Surveyor and Valuer, 3 Clinton Place, Tel. 2144.
Storrington, Pulborough and Billinghurst.—WHITEHEAD & WHITEHEAD smal. with D. Ross & Son, The Square, Storrington (Tel. 40), Swan Corner, Pulborough (Tel. 232/3), High Street, Billinghurst (Tel. 391).
Sussex and Adjoining Counties.—JARVIS & CO., Haywards Heath, Tel. 700 (3 lines).
West Worthing and Goring-by-Sea.—GLOVER & CARTER, F.A.L.P.A., 110 George V Avenue, West Worthing, Tel. 8866/7. And at 6 Montague Place, Worthing, Tel. 6264/5.
Worthing.—A. C. DRAYCOTT, Chartered Auctioneers and Estate Agents, 8-14 South Street, Lancing, Sussex. Tel. Lancing 2828.
Worthing.—STREET & MAURICE, formerly EYDMANN, STREET & BRIDGE (Est. 1864), 14 Chapel Road. Tel. 4060.
Worthing.—HAWKER & CO., Chartered Surveyors, Chapel Road, Worthing. Tel. Worthing 1136 and 1137.
Worthing.—PATCHING & CO., Est. over a century. Tel. 5000, 5 Chapel Road.
Worthing.—JOHN D. SYMONDS & CO., Chartered Surveyors, Revenue Buildings, Chapel Road. Tel. Worthing 623/4.

WORCESTERSHIRE

Birmingham and District.—SHAW, GILBERT & CO., F.A.I., "Newton Chambers," 43 Cannon Street, Birmingham, 2. Midland 4784 (4 lines).
Coventry.—GEORGE LOVEITT & SONS (Est. 1843), Auctioneers, Valuers and Estate Agents, 29 Warwick Row, Tel. 3081/2/3/4.

WARWICKSHIRE (continued)

Coventry.—CHAS. B. ODELL & CO. (Est. 1901), Auctioneers, Surveyors, Valuers and Estate Agents, 53 Hartford Street, Tel. 22037 (4 lines).
Leamington & Ryde District.—TRUSLOVE & HARRIS, Auctioneers, Valuers, Surveyors. Head Office: 38/40 Warwick Street, Leamington Spa, Tel. 1861 (2 lines).
Stratford Coldfield.—QUANTRILL SMITH & CO., 4 and 6 High Street, Tel. 517 4481 (5 lines).

WESTMORLAND

Kendal.—MICHAEL C. L. HODGSON, Auctioneers and Valuers, 10a Highgate, Tel. 1375.
Windermere.—PROCTER & BIRKBECK (Est. 1841), Auctioneers, Lake Road, Tel. 688.

WILTSHIRE

Bath and District and Surrounding Counties.—COWARD, JAMES & CO., Incorporating FORT, HATT & BILLINGS (Est. 1903), Surveyors, Auctioneers and Estate Agents. Special Property Department, New Bond Street Chambers, 14 New Bond Street, Bath. Tel. Bath 3150, 3594, 4268 and 61360.
Marlborough Area (Wiltshire, Berks and Hants Borders).—JOHN GERMAN & SON (Est. 1840), Land Agents, Surveyors, Auctioneers and Valuers, Estate Office, Ramsbury, Nr. Marlborough. Tel. Ramsbury 3612/2. And at Ashby-de-la-Zouch, Burton-on-Trent and Derby. Tel. 5194/5.

WORCESTERSHIRE

Kidderminster.—CATTELL & YOUNG, 31 Worcester Street, Tel. 2075 and 3077. And also at Droitwich Spa and Tenbury Wells.
Kidderminster, Droitwich, Worcester.—G. HERBERT BANKS, 28 Worcester Street, Kidderminster, Tel. 2911/2 and 4210. The Estate Office, Droitwich, Tel. 2084/5, 3 Shaw Street, Worcester. Tel. 27785/6.
Worcester.—BENTLEY, HOBBS & MYTON, F.A.I., Chartered Auctioneers, etc., 49 Foregate Street, Tel. 5194/5.

TORKSHIRE

Bradford.—NORMAN R. GEE & HEATON, 72/74 Market Street, Chartered Auctioneers and Estate Agents. Tel. 27202 (2 lines). And at Keighley.

YORKSHIRE (continued)

Bradford.—DAVID WATERHOUSE & NEPHEWS, F.A.I., Britannia House, Chartered Auctioneers and Estate Agents, Est. 1844. Tel. 22622 (3 lines).
Hull.—EXLEY & SON, F.A.L.P.A. (Incorporating Officer and Field), Valuers, Estate Agents, 70 George Street, Tel. 3399/2.
Leeds.—SPENCER, SON & GILPIN, Chartered Surveyors, 132 Albion Street, Leeds, 1. Tel. 30171.
Scarborough.—EDWARD HARLAND & SONS, 4 Aberdeen Walk, Scarborough. Tel. 834.
Sheffield.—HENRY SPENCER & SONS, Auctioneers, 4 Paradise Street, Sheffield. Tel. 25206. And at 20 The Square, Retford, Notts. Tel. 531/2. And 91 Bridge Street, Worksop. Tel. 2654.

SOUTH WALES

Cardiff.—DONALD ANSTEE & CO., Chartered Surveyors, Auctioneers and Estate Agents, 91 St. Mary Street, Tel. 30429.
Cardiff.—S. HERN & CRABTREE, Auctioneers and Valuers. Established over a century. 93 St. Mary Street, Tel. 29383.
Cardiff.—J. T. SAUNDERS & SON, Chartered Auctioneers and Estate Agents, Est. 1895. 16 Dumfries Place, Cardiff. Tel. 20234/5, and Windsor Chambers, Penarth, Tel. 22.
Cardiff.—JNO. OLIVER, WATKINS & FRANCIS, Chartered Auctioneers. Chartered Surveyors. 11 Dumfries Place, Tel. 33489/90.
Swansea.—E. NOEL HUSBANDS, F.A.I., 139 Walter Road, Tel. 57801.
Swansea.—ASTLEY SAMUEL, LEEDER & SON (Est. 1863), Chartered Surveyors, Estate Agents and Auctioneers, 49 Mansel Street, Swansea. Tel. 55981 (4 lines).

NORTH WALES

Bangorshire and Flintshire.—HARPER WEBB & CO., (incorporating W. M. Nightingale & Son), Chartered Surveyors, 35 White Friars, Chester. Tel. 20685.
Wrexham, North Wales and Border Counties.—A. KENT JONES & CO., F.A.I., Chartered Auctioneers and Estate Agents, Surveyors and Valuers. The Estate Office, 43 Regent Street, Wrexham. Tel. 3483/4.

COMMERCIAL UNION ASSURANCE CO LTD

HEAD OFFICE: 24 CORNHILL, LONDON, EC3

Solicitors are invited to apply for Agency facilities

THE WILL TO



A WILL to do good.

A WILL to assist those who serve others.

A WILL to leave a bequest to the Florence Nightingale Hospital, which by service at little cost to those in sickness commands itself to fullest consideration.

A WILL that will do good. Will you?

The kindly consideration of the legal profession in advising their clients as to bequests is urgently desired. Details may be obtained from the Appeal Secretary.

**Florence Nightingale
HOSPITAL**

19 Linson Grove, London, N.W.1.
PADdington 6412.

Founded 1884

FLOWERDEW & CO. LIMITED

Law Agents, Translators and Stationers
Every Business Aid for the Legal Profession

HEAD OFFICES—

73 Manor Road, Wallington, Surrey
"Phone—WALLINGTON 4441-3
Teleglobe—" Flowerdew, Wallington, Surrey"

LONDON OFFICES—

3/4 CLEMENTS INN, STRAND, W.C.3
"Phone—CHANCERY 5481-2
and

9 SOUTHAMPTON PLACE, W.C.1
"Phone—HOLBORN 7178

THE STAR & GARTER HOME

For Disabled Sailors, Soldiers and Airmen

PATRON - HER MAJESTY THE QUEEN

On average, nearly £30,000 is needed each year to meet the difference between known expenditure and dependable income.

THE HOME, WHICH IS AN INDEPENDENT CHARITY, RELIES ON FURTHER LEGACIES TO FILL THIS GAP.

Any additional information required is available from the Commandant (Dept. S.J.)

Star and Garter Home, Richmond, Surrey

KING'S DETECTIVES

Confidential Investigations in Civil, Criminal, Commercial and Personal Cases. Observations. Cases of Larceny, Fraud and Embezzlement investigated. Financial and other Commercial Enquiries undertaken. Persons traced. Witnesses interviewed and Proofs of Evidence taken.

W. J. KING'S DETECTIVE BUREAU Ltd.

CHANCERY HOUSE, CHANCERY LANE,
LONDON, W.C.2

Telegrams: KINGTEX, WESTCENT, LONDON

HOLborn 0343-4-5

ANTIQUE SILVER AND PLATE

Purchased at Highest Prices
Valuations for Probate and Insurance

BENTLEY & CO.

66 New Bond Street, London, W.1 (Mayfair 0651)

COINS AND MEDALS

COLLECTIONS OR SINGLE SPECIMENS BOUGHT AND SOLD

VALUATIONS MADE

A. H. BALDWIN & SONS, LTD.

Robert St., Adelphi, W.C.2 TRA/taiger 2455

Please mention "THE SOLICITORS' JOURNAL" when replying to Advertisements.

Classified Advertisements

PUBLIC NOTICES—INFORMATION REQUIRED—CHANGE OF NAME

4s. per line as printed

APPOINTMENTS VACANT—APPOINTMENTS WANTED—PRACTICES AND PARTNERSHIPS and all other headings 15s. for 30 words. Additional lines 4s. Box Registration Fee 2s. extra

Advertisements should be received by first post Wednesday for inclusion in the issue of the same week and should be addressed to
THE ADVERTISEMENT MANAGER, SOLICITORS' JOURNAL, OYEZ HOUSE, BREAMS BUILDINGS, FETTER LANE, E.C.4. CHAncery 6855

PUBLIC NOTICES

OGMORE AND GARW URBAN DISTRICT COUNCIL

LEGAL AND GENERAL CLERK

Applications are invited for the appointment of Legal and General Clerk at a salary within A.P.T. Grades I/II (£645—£960 per annum) according to ability and experience. Local Government experience not essential but applicants should have good knowledge of Conveyancing.

N.J.C. Conditions of Service, the post is superannuable and the Council operates a 5-day week.

Applications, giving age, particulars of experience and the names and addresses of two referees, to be received by me not later than 11th December, 1961.

ROY HUNTER,
Clerk of the Council.

Council Offices,
Brymmeny, Glam.

LANCASHIRE COUNTY COUNCIL

ASSISTANT SOLICITOR required in the Clerk of the County Council's Department. Salary £1,505 to £1,670. Commencing salary according to age and experience. Appointment is superannuable and subject to certificate of fitness. Applications stating age, details of qualifications and experience, and the names of two referees to the Clerk of the County Council (E), County Hall, Preston, by Wednesday, the 13th December, 1961.

CHADDERTON URBAN DISTRICT COUNCIL

LEGAL CLERK wanted primarily for conveyancing. Salary Scale £960 rising to £1,140 p.a. Starting point to be agreed. Five-day week. Housing accommodation will be made available. Applications, stating names and addresses of two referees, to be received by 12th December, 1961, by Clerk of the Council, Town Hall, Chadderton, Lancs.

CORPORATION OF MANCHESTER TOWN CLERK'S DEPARTMENT

Experienced CONVEYANCING CLERKS required. Knowledge of Chief Rents is desirable. Local Government experience not essential. Salary £960 to £1,140. Starting point according to experience. Particulars of age, education, qualifications and experience to Town Clerk, Town Hall, Manchester, by 11th December, 1961.

ESSO PETROLEUM CO. LTD.

Legal Department, Head Office, require a SOLICITOR, preferable age group 23-26. Experience of company and commercial work with City firm an advantage. Salary according to age and experience. The position offers a variety of work and interesting prospects for a young Solicitor, with good pension and other benefits.

Applications should be sent to the Legal Adviser, Esso Petroleum Company, Limited, 36 Queen Anne's Gate, London, S.W.1, marked "Personal."

HAMPSHIRE COUNTY COUNCIL

Applications are invited for the appointment on the staff of the Clerk of the County Council of an ASSISTANT SOLICITOR, with previous experience in Local Government, preferably with a County or County Borough Council, at a salary within Scale F (£2,015—£2,345). Commencing salary will be fixed according to qualifications and experience. Separation allowance and assistance with removal expenses will be paid in approved cases.

Applications, giving full particulars of age, education, qualifications and experience and the names of two referees, should reach the Clerk of the County Council, The Castle, Winchester, by 11th December.

AMENDED ADVERTISEMENT

DARLASTON URBAN DISTRICT COUNCIL

APPOINTMENT OF ASSISTANT SOLICITOR

Applications are invited for the above appointment at a salary in accordance with A.P.T. Grade V (£1,310—£1,480), the commencing salary to be determined in accordance with the qualifications and experience of the successful applicant.

Applicants should be able to carry out conveyancing and allied work with only slight supervision.

The post is subject to the usual conditions, including the passing of a medical examination. Housing accommodation will be provided, if required.

Applications, with full particulars of experience, and the names and addresses of two referees, should reach the undersigned not later than 12th December, 1961.

G. R. ROWLANDS,
Clerk of the Council.

Town Hall,
Darlaston,
South Staffs.

UNITED RAILWAYS OF THE HAVANA AND REGLA WAREHOUSES LIMITED

(In Voluntary Liquidation)

PROBATE PRICES

NOTICE TO EXECUTORS, ADMINISTRATORS AND THEIR SOLICITORS AND BROKERS

It is understood that the Estate Duty Office is prepared to accept the following valuations for Estate Duty in respect of deaths occurring after 1st September, 1961, and until further notice:

5% Second Income Loan Stock $\frac{1}{2}\%$
Consolidated Stock $\frac{1}{2}\%$

Both prices are ex the first and second distributions of 40% and 61% in respect of the Loan Stock and 4½% and 1½% in respect of the Consolidated Stock. If any of these payments had not been received at the date of death, they should be added to the prices.

W. R. TOMKINSON

R. H. B. WRIGHT

Lloyds Bank Buildings,
55/61 Moorgate,
London, E.C.2.
24th November, 1961.

Joint
Liquidators.

BERKSHIRE COUNTY COUNCIL

CONVEYANCING CLERK required. Salary within A.P.T. III (£960—£1,140). Candidates should hold an examination recognised for promotion purposes (e.g., appropriate certificates of the Solicitors' Managing Clerks' Association). Five-day working week. Canteen and sports facilities available. Staff housing scheme in operation, including payment towards removal expenses. Application forms from the Clerk of the Council, Shire Hall, Reading. Closing date: 16th December, 1961.

CIVIL SERVICE COMMISSION

LEGAL ASSISTANTS IN THE CIVIL SERVICE

About 40 pensionable posts for barristers or solicitors called or admitted in England (men or women) with recent legal experience in this country. Age at least 26 and under 40 on 1.12.61 (extension for candidates with regular Forces service or Overseas Civil Service).

Nineteen posts require special experience in conveyancing (Land Registry; Treasury Solicitor's Office; General Post Office; Ministry of Agriculture, Fisheries and Food); 3 in criminal law (Department of the Director of Public Prosecutions); 2 in trust administration (Charity Commission); 1 in litigation (General Post Office). Remaining vacancies are in Departments with general legal work.

Starting salary (Inner London) £1,210 at 26 to £1,703 at 35 or over. Scale maximum £1,937. Promotion prospects to higher posts with Inner London salaries of £2,103—£2,715 and £2,815—£3,415, and a few at £5,015.

There are also 2 vacancies for Assistant Chancery Registrars in the Lord Chancellor's Department, open to solicitors of two years' standing.

Write Civil Service Commission, Burlington Gardens, London, W.1, for application form, quoting 55/62. Closing date: 3rd January, 1962.

SOUTH WEST METROPOLITAN REGIONAL HOSPITAL BOARD

Applications are invited for the appointment of a higher CLERICAL OFFICER to assist the Legal Adviser of the Board and to act as his personal assistant and secretary.

Previous legal experience desirable. Good shorthand and typing speeds essential.

Salary within scale £620—£785 p.a., plus £20 p.a. London weighting allowance (£30 p.a. at age 26).

Applications including age, experience, present salary and the names of two referees to be made to the undersigned at 40 Eastbourne Terrace, Paddington, W.2, by 11th December.

E. G. BRAITHWAITE, Secretary.

APPOINTMENTS VACANT

W.1 SOLICITORS require experienced Conveyancing Managing Clerk, able to handle a volume of work without supervision. Salary according to experience but in the region of £1,500—£1,600 would be paid to suitable applicant.—Write with details of experience to Box 8224, Solicitors' Journal, Oyez House, Brems Buildings, Fetter Lane, E.C.4.

continued on p. xxiv

Classified Advertisements

continued from p. xxiii

APPOINTMENTS VACANT—continued

CITY Solicitors require admitted or unadmitted Conveyancing Clerk. Write stating full particulars.—Box C 331, c/o Walter Judd, Ltd., 47 Gresham Street, E.C.2.

WEST SUSSEX.—Assistant Solicitor required to take charge of Litigation Department. Possibility of partnership later. Salary according to experience but not less than £1,250.—Box 8228, *Solicitors' Journal*, Oyez House, Breams Buildings, Fetter Lane, E.C.4.

HARROW Solicitors urgently require Managing Clerk or qualified Assistant. Mainly Conveyancing but some litigation experience essential. Please write stating full details of age, experience and salary required.—Box 8069, *Solicitors' Journal*, Oyez House, Breams Buildings, Fetter Lane, E.C.4.

JUNIOR Assistant (Male) required in Cashiers' Department of leading firm of City Solicitors. Good salary and prospects.—Box 8238, *Solicitors' Journal*, Oyez House, Breams Buildings, Fetter Lane, E.C.4.

CONVEYANCING Manager.—Berkshire Solicitors require unadmitted man with sufficient conveyancing experience to work with only general supervision immediately and eventually to fill the position of Conveyancing Managing Clerk. Good opportunity for hard worker.—Box 8234, *Solicitors' Journal*, Oyez House, Breams Buildings, Fetter Lane, E.C.4.

OLD-ESTABLISHED family practice in Lincoln's Inn requires solicitor with a view to early salaried partnership and eventually succession. Emphasis at first on litigation and probate. Commencing salary up to £1,500 per annum.—Box 8235, *Solicitors' Journal*, Oyez House, Breams Buildings, Fetter Lane, E.C.4.

EAST SUSSEX Coast.—Young Assistant Solicitor required by medium-sized firm to undertake advocacy and litigation. Commencing salary from £1,000 per annum. Write with details of experience.—Box 8237, *Solicitors' Journal*, Oyez House, Breams Buildings, Fetter Lane, E.C.4.

CONVEYANCING Clerks with experience required by old-established Solicitors at Romford and Ilford. Commencing salary up to £1,000 per annum according to age and experience.—Box 8246, *Solicitors' Journal*, Oyez House, Breams Buildings, Fetter Lane, E.C.4.

MEDIUM-SIZED City firm require Assistant Solicitor for Conveyancing department; must be able and willing to undertake considerable volume of work; age preferably under 30; commencing salary up to £1,250 p.a. congenial office; good prospects.—Box 8206, *Solicitors' Journal*, Oyez House, Breams Building, Fetter Lane, E.C.4.

CITY Solicitors require Managing Clerk for Conveyancing department; preferably fully experienced and capable of undertaking work without supervision, but less experienced assistant would be considered; good salary appropriate to general capability of applicant.—Box 8207, *Solicitors' Journal*, Oyez House, Breams Buildings, Fetter Lane, E.C.4.

SOUTHHEND-ON-SEA solicitors require assistant solicitor for expanding practice, mainly conveyancing and probate, with opportunities for litigation and advocacy; partnership prospects; commencing salary not less than £900 or according to length of experience.—Box 8255, *Solicitors' Journal*, Oyez House, Breams Buildings, Fetter Lane, E.C.4.

LONDON

YOUNG Solicitor, recently admitted, wishing to enter industry and having good experience of general commercial work (knowledge of patent and trade mark law and practice an advantage), required as Assistant to the Head of the legal department serving a large group of companies, with Head Office in the West End; commencing salary by negotiation but anticipated in region of £1,200 per annum; life assurance and non-contributory pension fund; apply in writing, giving age, present remuneration and full particulars of experience.—Box 8251, *Solicitors' Journal*, Oyez House, Breams Buildings, Fetter Lane, E.C.4.

BRADFORD (Yorkshire) Solicitors require experienced probate managing clerk able and willing to work with minimum supervision; knowledge of tax work an advantage; salary up to £1,050; pension scheme.—Box 8252, *Solicitors' Journal*, Oyez House, Breams Buildings, Fetter Lane, E.C.4.

LITIGATION Manager (experienced) required by Lincoln's Inn solicitors; salary by arrangement.—Box 8253, *Solicitors' Journal*, Oyez House, Breams Buildings, Fetter Lane, E.C.4.

SOLOCITORS in university city require assistant for mainly unsupervised general work, including conveyancing and some divorce; advocacy an advantage; opportunity to assist in expansion of firm leading to partnership.—Box 8254, *Solicitors' Journal*, Oyez House, Breams Buildings, Fetter Lane, E.C.4.

GRAY'S INN solicitors require senior assistant for trust department; pension scheme; L.V.s; no Saturdays; three weeks' holiday; salary by arrangement.—Write age and full details of experience to Box 8256, *Solicitors' Journal*, Oyez House, Breams Buildings, Fetter Lane, E.C.4.

OLD-ESTABLISHED family practice, South Bucks, require assistant with a view to partnership; excellent opportunity for right man with personality and capacity for hard work; approximately two years' experience since admission preferred, but newly admitted man might be considered; salary in the region of £1,250, or according to experience; please write giving full details of education and experience.—Box 8257, *Solicitors' Journal*, Oyez House, Breams Buildings, Fetter Lane, E.C.4.

ACHIEF cashier is required to take full responsibility for accounts department of Central London solicitors with large expanding practice; experience in similar position essential; knowledge of mechanised accounting an advantage; salary according to age and experience but not less than £1,000; pension scheme; luncheon vouchers.—Apply, in first instance in writing, to Ford, Bull, Ellis & Sales, Chartered Accountants, 1 Verulam Buildings, Gray's Inn, W.C.1.

EXPANDING firm of West End solicitors require for 1962 the following additional permanent staff: (i) an expert experienced senior conveyancing managing clerk with wide knowledge of all branches of property law, to work with a partner in a department devoted to very substantial new developments; and (ii) a managing clerk for litigation department able to assume considerable responsibility and to deal with matters in all divisions. Salaries £2,000 p.a. and £1,700 p.a. respectively, or by arrangement. All applications treated in confidence. Pension scheme.—Box 8261, *Solicitors' Journal*, Oyez House, Breams Buildings, Fetter Lane, E.C.4.

LITIGATION clerk (young) required by solicitors in the Temple; must have good knowledge of High Court and county court procedure and be capable of reaching managing clerk status; good salary and prospects.—Box 8258, *Solicitors' Journal*, Oyez House, Breams Buildings, Fetter Lane, E.C.4.

FIRM of City solicitors require probate managing clerk with knowledge of income tax and trust accounts; salary by arrangement.—Write Box 8259, *Solicitors' Journal*, Oyez House, Breams Buildings, Fetter Lane, E.C.4.

SOLOCITOR, outstanding man required by old-established and rapidly expanding town and country general practice with offices in Cathedral town, market town and important sea-port; man appointed will be first-class all-rounder with litigation experience, capable of working without supervision; partnership offered after trial period.—Apply Box 8260, *Solicitors' Journal*, Oyez House, Breams Buildings, Fetter Lane, E.C.4.

MANCHESTER solicitors have vacancy for admitted or unadmitted managing clerk or assistant solicitor with general experience; would give articles to unqualified man; permanent position with definite prospects of partnership.—Box 8262, *Solicitors' Journal*, Oyez House, Breams Buildings, Fetter Lane, E.C.4.

MANCHESTER solicitors have vacancy for articled clerk with law degree; excellent experience; good opportunity and prospects; no premium; small salary.—Box 8263, *Solicitors' Journal*, Oyez House, Breams Buildings, Fetter Lane, E.C.4.

REQUIRED by old-established firm in Hong Kong, assistant solicitor unmarried; some advocacy including conveyancing, company and court work, probates etc.; subject to four years' agreement; excellent prospects; commencing salary \$1,800 per month (equivalent to £112 10s.), with annual increments of \$200 for first year and \$100 per year thereafter; full particulars required.—Write Box 448, Reynells, Chancery Lane, W.C.2.

BOURNEMOUTH.—Solicitors have vacancy for energetic male clerk in busy litigation department. A good salary will be paid commensurate with age and experience.—Box 8272, *Solicitors' Journal*, Oyez House, Breams Buildings, Fetter Lane, E.C.4.

NORTH-EAST COAST.—Assistant required by busy Firm with prospects of expansion; partnership prospects and good salary meanwhile to be agreed according to experience and qualifications. Excellent opportunity for young man.—Box 8269, *Solicitors' Journal*, Oyez House, Breams Buildings, Fetter Lane, E.C.4.

YOUNG advocate required by Pembrokeshire Solicitors for Police and County Court work (English area; magnificent coast). Newly admitted man considered. Commencing salary about £1,000 according to experience.—Box 8270, *Solicitors' Journal*, Oyez House, Breams Buildings, Fetter Lane, E.C.4.

YOUNG Solicitor required by busy Bournemouth firm mainly for High Court and County Court litigation but with opportunity for a certain amount of conveyancing. Salary according to experience but not less than £1,000 per annum.—Box 8271, *Solicitors' Journal*, Oyez House, Breams Buildings, Fetter Lane, E.C.4.

continued on p. xxv

Classified Advertisements

continued from p. xxiv

APPOINTMENTS VACANT—continued

MAIDENHEAD.—Solicitors require an Assistant for conveyancing work. Would suit newly admitted Solicitor with some conveyancing experience. Congenial office. Write with details of experience.—Box 8273, Solicitors' Journal, Oyez House, Breams Buildings, Fetter Lane, E.C.4.

APPOINTMENTS WANTED

SOLICITOR (Honours), one year's qualified experience, willing to undertake spare time work of varied nature, e.g., drafting, opinions, titles examined, research, etc.—Box 8265, Solicitors' Journal, Oyez House, Breams Buildings, Fetter Lane, E.C.4.

SOLICITOR (43), former barrister, wide experience of taxation, estate duty, tax planning, trusts, company and commercial law, probate, some conveyancing, seeks position London area.—Box 8266, Solicitors' Journal, Oyez House, Breams Buildings, Fetter Lane, E.C.4.

PRACTICES AND PARTNERSHIPS

BRIGHTON solicitor wishes to purchase practice in Brighton to amalgamate with existing practice.—Box 8267, Solicitors' Journal, Oyez House, Breams Buildings, Fetter Lane, E.C.4.

WALES.—Old-established general practice required solicitor view to partnership.—Box 8264, Solicitors' Journal, Oyez House, Breams Buildings, Fetter Lane, E.C.4.

PREMISES, OFFICES, ETC.

BRIGHTON/HOVE, 101 Western Road, Hove, Sussex. Office to let on ground floor adjoining Estate Offices, rent £2 p.w. Telephone service if necessary.—Apply SHAWS, F.A.L.P.A., M.R.San.I., "Estate House," 85 Shaftesbury Avenue, W.1. Telephone Gerrard 5851.

LINCOLN'S INN.—650 square feet office accommodation available for twelve months, possibly longer.—Box 8268, Solicitors' Journal, Oyez House, Breams Buildings, Fetter Lane, E.C.4.

PROPERTY INVESTMENTS

INVESTMENTS REQUIRED

ACTIVE enquiries in hand for good-class shop investments, blocks of flats, freehold ground rents and weekly investments of all types.—Details in confidence to Cowdry, Phipps & Hollis, F.A.L.P.A., Investment Department, 140 Park Lane, Marble Arch, W.1. MAYfair 1329 (2 lines).

MORTGAGE FUNDS

MORTGAGES

available

FOR PERIODS UP TO
FIVE YEARS

MORTIMER FINANCE
93 Mortimer Street, W.1
MUSEUM 0709 AND 0700

Please mention "THE SOLICITORS' JOURNAL" when replying to Advertisements

WE offer a specialised service re mortgage advances on Shop Properties, Factories and Houses over £10,000. Sums also available for Building and Industrial development.—MILLER SMITH AND PARTNERS, 139 Park Lane, W.1. Tel.: MAYfair 7081-4.

SECOND Mortgage our speciality; £100-£1,000 available for Owner occupiers or for use as a deposit in house purchase. £2 6s. 8d. monthly repayment on each £100 borrowed.—Cranbrook Mortgage Bureau, Dept. C.F.7, 49 Cranbrook Road, Ilford 3615 (3 lines).

MORTGAGES

PLAY SAFE—PUT IT IN THE HANDS OF
PETER G. HIRSCH & CO., LTD.
8 BRUNSWICK PLACE, HOVE
Tel.: 71398/9

Sussex Leading Mortgage Brokers

MORTGAGE ADVANCES AND BUILDING FINANCE
UP TO 100 PER CENT.
BRIDGING FINANCE
HOUSE PURCHASE FROM 5½ PER CENT.

Second Mortgages Any amount

MORTGAGE FUNDS REQUIRED

MORTGAGES required for our applicants. Sums of £1,000/£10,000 on owner-occupied houses. Also larger amounts on investment property, viz.: blocks of shops, houses, factories, etc. Two-thirds value required at 7½%. Full scale legal and survey charges paid. Occasionally other applicants require second mortgages at 10%. £200/£1,000 where there is ample equity. Write fully.—Welsford, Morgan & Co. (Mortgage Brokers since 1908), 986 London Road, Thornton Heath, Surrey, or Tel.: THO 2135.

BUILDING LAND WANTED

LAND WANTED for housing. Home County. 2/50 acres. Agents retained and reinstated. Planning applications and appeals undertaken.—TRUE BOND HOMES, LTD., 342 Richmond Road, East Twickenham. (POP 6231).

VALUATIONS

ANTIQUE AND MODERN FURNITURE, Silver, Porcelain, Pictures, Books and all descriptions of Chattel Property VALUED FOR PROBATE, INSURANCE OR FAMILY DIVISION, or, if desired, included in specialised auction sales. Sales also arranged by tender or private treaty.—Phillips, Son & Neale, 7 Blenheim Street, New Bond Street, W.1. Telephone No. : MAYfair 2424. Est. 1796.

REVERSIONS, LIFE POLICIES, ANNUITIES and UNQUOTED SHARES.—H. E. Foster and Cranfield, 6 Poultry, E.C.2, specialise in the valuation of these interests for probate purposes. Established 1843.

VALUATIONS of general chattels, antiques, etc., for Probate, Insurance, and all purposes. Sales arranged if required. Prompt attendance, any distance.—J. Nutter, Old Manor Farmhouse, Wendover, Bucks. (Tel.: 3362).

CARRINGTON & CO., LTD., offers to buy Jewellery, Silver and Gold items, both modern and antique. Highest prices given. Representative sent if requested. Valuations for probate, insurance, etc.—130 Regent Street, London, W.1. Tel. REG. 3727.

TRADE VALUATIONS STOCKS & FIXTURES SALE OR PROBATE

Extensive staff of expert valuers available at short notice

ALL MAIN DISTRIBUTIVE TRADES

ORRIDGE & CO.

184 STRAND, LONDON, W.C.2
Telephone: TEMple Bar 9212/3 and 6340

Branch offices in Lancashire, Yorkshire, Hampshire, Glamorgan and Warwickshire

Members of leading professional bodies

VALUERS SINCE 1846

FINANCIAL

AMPLE FUNDS AVAILABLE
For your bridging and other short-term financial requirements.

GWENT AND WEST FINANCE COMPANY LIMITED

Merchant Bankers,
23 Windsor Place,
CARDIFF.

ABANDON DELAYS

READY MADE COMPANIES

(guaranteed "no trading")

£20:0:0 inclusive
(over 200 in stock)

By Return of Post to Country or delivery immediately in London.
Free draft on application.

LEWIS, COATES & LUCAS, LTD

LAW STATIONERS
6-9 Surrey Street, Strand, W.C.2
TEMple Bar 6927 (4 lines)

A BARGAIN, £25 complete, brand new ready-made Co. Regns. Guaranteed no trading (England or Scotland); all trades available now, including Property Dealing; Mining/Quarrying; Garages; Electrical; Glass/China; Drapers; Packers; Plastics; H.P. Finance; Salvage; Banking; Nominees; Secretarial; Stocks/Shares; Property; Investments; Caravans, etc. (specially prepared for each trade). Write, phone or call (English Registrations) BUSINESS ECONOMY Co., Regns., Ltd. (Dept. 14); 156 Strand, London, W.C.2 (Tem. 8377/2294); Scottish Registrations to 19 Walker Street, Edinburgh, 3 (Cal. 1167/9). Read "Advantages of trading as a limited Company" (3/- post free). Ltd. Co. may save you personal tax. We also have seven days Co. Regn. service with your own choice of name £21 (plus stamp duty).

continued on p. xxvi



Classified Advertisements



continued from p. xxv

FINANCIAL—continued

COMPANY FORMATIONS

A first-class service is provided for the profession for 14 guineas including Mem. and Arts., Books, Seal, etc.

CITY FORMATIONS LTD.
(Dept. M) 90 Bishopsgate, E.C.2.

PERSONAL

DAVIS OF PORT STREET, PICCADILLY MANCHESTER, 1.—For fine furniture at manufacturers prices. Walk round our three large showrooms, which are open daily until 6 p.m. (Wednesday and Saturday included). We are stockists of all the latest designs of furniture, carpets, mattresses, divans. 10-year guarantee. Also all domestic electrical equipment, etc. Special concession and credit facilities to members of the legal profession. Write to us for whatever you want—we can supply. No other introduction required. Tel.: CEN 0638.

TYPING, ETC.

LEGAL TYPING including STENOSETTE, PHILIPS and ALL TAPE TRANSCRIPTIONS. Engraving, Abstracting, Photo-Copying, DUPLICATING letters, drafts, Abstracts, etc. COMPLETIONS attended. RUSHGROVE AGENCY, 563 Watford Way, London, N.W.7. MILI Hill 7242.

DRAFTS and Engrossments expertly typed, hand engraving, plans drawn or copied, multiple copying by special process, photo-copying; all expeditiously done in proper form and at moderate charges. On all copying problems, consult the Copying Departments of The Solicitors' Law Stationery Society, Ltd., Head Offices, Oyez House, Breams Buildings, Fetter Lane, E.C.4.

RITA MOORE undertakes Tape Transcriptions, Law Writing, Translations, Duplicating, Photocopying, Secretarial Services. Work carried out promptly and efficiently. 20 Tooks Court, Cursitor Street, E.C.4. CHAncery 5508.

TRANSLATIONS

LEGAL DOCUMENTS and other miscellaneous matter (French, German and Italian); accurate rendering mailed day work received.

H. Verney Clayton, M.C.,
The Woodlands, Market Rasen, Lincs.

THE HAMILTON TRANSLATION SERVICE, LTD.
c/o THE SOLICITORS' JOURNAL
OYEZ HOUSE,
BREAMS BUILDINGS,
FETTER LANE, E.C.4.

We specialise in the translation of all legal documents and correspondence from and into 48 Languages.

NAMEPLATES

NAMEPLATES in bronze or brass. Quick delivery and efficient service our speciality; competitive prices. Send details of your requirements to Syncronol Industries, Ltd., 64/65 St. Mary's Butts, Reading.

NAMEPLATES in bronze, brass or plastics; Rubber Stamps; Sketches and estimates free.—Austin Luce & Company, 19 College Road, Harrow, Middlesex. Tel.: HATch End 6680.

NAMEPLATES in bronze, brass and plastic; quotations and full size layout sent free; signwriting a speciality.—Please send wording to Abbey Craftsmen, Ltd., Abbey Works, 109A, Old Street, London, E.C.1. Tel.: CLE 3845.

CHRISTMAS GIFTS

RECORDS FOR CHRISTMAS! We specialise in records of all Classical Works and we have a large selection always available. Our specialist staff will gladly help you. A good variety of popular records are also available. City Sale & Exchange, 93-4 Fleet Street, E.C.4. FLE 9391. Ext. 4.

INFORMATION REQUIRED

SAMUEL SAMUELS, Deceased

Will any Solicitor holding Deeds or any information concerning Properties held by the above (for probate purposes) please communicate with Mrs. R. G. Cohen, 3 Borrowdale Road, Liverpool, 15, or Messrs. Silverbeck & Co., Solicitors, 61 Lord Street, Liverpool.

INVESTMENTS WANTED

£50,000 cash available to buy weekly or other houses, ground rents, etc. No comm. required. Any district.—Buyers' Agents: RAYNERS, 205 Lavender Hill, S.W.11. (BAT 8686.)

BOOKS AND PERIODICALS

THE "CORDEX" SELF-BINDING CASE specially designed to contain issues of THE SOLICITORS' JOURNAL is now available price 14s, post free. Capacity 26 issues and index. Issues easily inserted or removed.—The Solicitors' Journal, Oyez House, Breams Buildings, Fetter Lane, E.C.4.

FOR SALE.—Surplus on Amalgamation:

All England Law Reports, 1936 to date, bound in blue cloth.

Halsbury's Statutes of England—Second Edition.

Halsbury's Laws of England—Third Edition.

Encyclopaedia of Forms—Third Edition.

Law Reports, 1878 to date (Chy. Q.B.

Pbte. Appeal & Statutes).

All complete and in good condition.—

Box 8219, Solicitors' Journal, Oyez House, Breams Buildings, Fetter Lane, E.C.4.

COSTS

THE COSTS DEPARTMENT OF

The Solicitors' Law
Stationery Society, Ltd.,

is available to the profession for the
prompt preparation of all

BILLS OF COSTS
by expert draftsmen.

For full details apply The Manager,
Costs Department, Oyez House, Breams
Buildings, Fetter Lane, E.C.4.
(CHAncery 6855.)

PRIVATE INQUIRIES

DIVORCE and general inquiries undertaken throughout London, Surrey, Middlesex by our own staff. Evictions and distress warrants executed. Certificated Bailiffs. Southern Provincial Investigations, 45 Brighton Road, Surbiton, Surrey (Elmbridge 1032/4).

ESTATE DUTY

WE can offer to Solicitors a unique advisory service. Write for details to: Tamorel Limited, 5 New Bridge Street, Ludgate Circus, London, E.C.4.

MISCELLANEOUS

OLD DEEDS.—Good prices given for old parchment deeds; any quantity accepted, large or small.—Please send full details to H. Band & Co., Ltd., Brent Way, High Street, Brentford, Middlesex.

WHEN SELLING STAMPS

Executors will find complete security in the H. R. HARMER Auctions.

More than 3,000 leading Philatelists are regular buyers at H. R. Harmer's weekly sales in London and New York. Realisations are consistently the highest in philatelic auctioneering.

Valuations for insurance, probate or sale, are accepted by all authorities. Fees are remitted in full if sale instructions are given within two years of appraisal.

Prospective Vendors cannot do better than place their interest in H. R. Harmer's hands. Write for leaflet which gives full particulars of sale by auction or private treaty, commission terms, insurance arrangements, etc.

If you wish to buy fine stamps, write for a catalogue subscription blank and leaflet giving particulars of the H. R. Harmer service.

H. R. HARMER, LTD., International Stamp Auctioneers
41 NEW BOND STREET, LONDON, W.1
and at NEW YORK and SYDNEY. [Tel.: Mayfair 0218]

PRIVATE ENQUIRY AGENTS

FOR
★ SERVICE OF ALL LEGAL PROCESS
★ ROUTINE SEARCHES
★ COMMERCIAL & CRIMINAL
INVESTIGATION
★ EVIDENCE IN SUPPORT OF
PETITIONS FOR DIVORCE

Phone : TEMPLE BAR 8724-8725

COLLINS & HOLMES
359 STRAND, LONDON, W.C.2

THE LONDON SOLICITORS & FAMILIES ASSOCIATION

(formerly The Law Association. Instituted 1817.) Supported by Life and Annual Subscriptions and by Donations. This Association consists of Solicitors taking out London Certificates and of retired Solicitors who have practised under London Certificates and its objects are (amongst others): To grant relief to the Widows and Children of any deceased Member, or, if none, then to other relatives dependent on him for support. The Relief afforded last year amounted to £3,179. A minimum subscription of One Guinea per annum constitutes a Member and a payment of Ten Guineas Membership for life.

Applications to be made to the SECRETARY,
Miss K. Margaret Hugh-Jones, "Maesgwyn," Glaziers Lane
Normandy, Surrey Tel. Normandy 2168.



With these hands

These are the hands of a craftsman. Hands trained over many years to make faultless copies of legal documents of a quality which the solicitor has become accustomed to expect—finished documents that do justice to the care which has gone into their preparation.

This is but one aspect of how the Society's copying departments can assist the solicitor. You may be surprised at the scope of this service. Facts about it are given in our illustrated brochure "Presented at Court—and elsewhere." May we send you a free copy?

THE SOLICITORS' LAW STATIONERY SOCIETY, LIMITED
HEAD OFFICE: OYEZ HOUSE, BREAMS BUILDINGS, FETTER LANE, LONDON, E.C.4
LONDON • BIRMINGHAM • CARDIFF • GLASGOW • LIVERPOOL • MANCHESTER



AUCTIONEERS' ANNOUNCEMENTS

"The Solicitors' Journal"
Friday, December 1, 1961

BEECROFT, SONS & NICHOLSON

Valuers, Surveyors and Assessors
Valuations, Inventories, Fire Loss Assessments

32A WEYMOUTH STREET, PORTLAND PLACE, LONDON, W.1

H. C. Hasell Beecroft
P. R. Beecroft, F.R.I.C.S., F.A.I.

Tel.: LANgham 6721/4

H.D.S. STILES & Co.

CHARTERED SURVEYORS
CHARTERED AUCTIONEERS & ESTATE AGENTS
10 KING'S BENCH WALK, TEMPLE, E.C.4
City 2946 and Central 5356
6 PAVILION BUILDINGS, BRIGHTON
Brighton 23244 (4 lines)
3 THE STEYNE, WORTHING
Worthing 9192/3

EST. 1881

TEL: Mon 1464, Syd 6601

EASTMAN BROTHERS
SURVEYORS and VALUERS
ESTATE AGENTS

Surveys and Valuations for all purposes
Plans and Specifications
Estate Management in all areas

HALIFAX HOUSE, 62/64 MOORGATE, E.C.2

NORMAN KINGSLEY & CO.

(N. L. KINGSLEY, A.R.I.C.S., A.A.T.)

Chartered Surveyors

Chartered Auctioneers and Estate Agents
Property Management, Surveys and Valuations,
Dilapidations, Plans, Specifications, etc.

69 BLANDFORD STREET, BAKER STREET, LONDON, W.1

Tel.: HUNTER 1325

Gerrard 3853-3963

SHAWS

(J. H. W. Shaw, F.A.L.P.A., M.R.San.I., P.P.C.I.A., F.V.I.)
ESTATE MANAGERS, SURVEYORS AND VALUERS

Estate House, 85 Shaftesbury Avenue, W.1

Also at

149/151 Dulwich Road, Herne Hill, S.E.24. BR1xton 7866/7

FULLER HORSEY
SONS & CASSELL

AUCTIONEERS & VALUERS

of PLANT, MACHINERY

and FACTORIES

Since 1807

10 LLOYDS AVENUE
LONDON E.C.3

TELEPHONE ROYAL 4861

NNR 9176

H. E. WINGFIELD & CO.

BUYERS OF
FINE STAMPSSTAMPS VALUED
FOR PROBATE AND
INSURANCE PURPOSES

Call, write or 'phone
Miss R. Tifford or Mr. A. L. Michael at
392 STRAND, LONDON
(OPPOSITE SAVOY HOTEL)

Tel.: TEMPle Bar 4136

Printed and published in Great Britain by THE SOLICITORS' LAW STATIONERY SOCIETY, LTD., Oyez House, Brems Buildings, Fetter Lane, London, E.C.4. Phone: Chancery 6855.
Agents—The United States and Canada: The Carswell Co., Ltd., 145-149 Adelaide Street West, Toronto, 1, Canada; Australia and New Zealand: The Law Book Co. of Australasia Pty. Ltd., 140 Phillip Street, Sydney, N.S.W.; India and Pakistan: N. M. Tripathi, Ltd., 164 Princess Street, Bombay.

Published Weekly, 1s. 9d.

Friday, December 1, 1961

Registered at the G.P.O. as a newspaper

WARD, SAUNDERS & CO.

L. B. Saunders, F.A.I., F.C.I.A., W. J. Allin, F.A.L.P.A.,
F.V.I., W. J. Sims, F.A.I., F.V.I.

Auctioneers, Estate Agents, Surveyors and Valuers

SURVEYS, VALUATIONS, SALES, LETTINGS,
MORTGAGES, REQUISITION CLAIMS, COM-
PULSORY PURCHASE, DILAPIDATIONS, ETC.

ESTATE MANAGEMENT SPECIALISTS

Bankers: Lloyd's Bank Ltd., Barclays Bank Ltd.

The Estate Offices

298 and 299 Upper Street, London, N.1

Telephones: CANebury 2487-2488-2489

Established over Half a Century

JOS. RIMMER & SON

(Established 1860)

C. F. Reid, F.R.I.C.S., F.A.I., R. Harton, F.R.I.C.S., F.A.I.,
H. F. Sherman, F.R.I.C.S.

Chartered Surveyors, Auctioneers and Estate Agents

SALES BY AUCTION AND PRIVATE TREATY

Mortgages arranged, Properties carefully managed.
Valuations and Surveys, Compensation Claims
negotiated. Rating Appeals

CORINTHIAN BUILDINGS

14/20 SOUTH CASTLE STREET
LIVERPOOL, 2

Tel.: MARitime 1066 (5 lines), and at
13 Hamilton Square, Birkenhead. Tel.: BIR 8931/2
110 Station Road, Ellesmere Port. Tel.: ELL 1251/2

EST. 1813

DEBENHAM-STORR
AND
JOHNSON DYMOND
LIMITED

AUCTIONEERS AND VALUERS—
SPECIALISTS IN THE SALE OF ALL
CLASSES OF PROPERTY

Sales held in two spacious Auction Rooms daily, one being reserved for jewellery, silver and plated ware, watches, etc.; the other for furniture, pictures, bronzes, works of art, carpets, guns, wine, furs, wearing apparel and personal effects

Valuations for Probate, Insurance and other matters

APPLY—

26 King Street, Garrick
Street, London, W.C.2

Telephone: TEMPle Bar 1181 & 1182
Telegrams: "Viewing" London

SOCIETY FOR THE ASSISTANCE OF LADIES IN REDUCED
CIRCUMSTANCES

Patron: Her Majesty The Queen

Christmas Appeal

Christmas is drawing near—and to many of our poor, sick and elderly ladies, who are suffering great hardships, it will not be a joyful season. Please send money for extra comforts.

Will Lawyers kindly advise their Clients to help this Society? Making cheques payable to

MISS SMALLWOOD'S SOCIETY
LANCASTER HOUSE, MALVERN

ELLIS & SONS

Established 1877

Estate Agents, Valuers and Property Auctioneers

Partners:

I. S. ALLAN-SMITH, F.A.L.P.A.

GRAHAM E. ELLIS, F.A.I.

1 Princess St., Albert Square, Manchester, 2
Telephone: Blackfriars 4812 Telegrams: "Covenant"

JOHN BRAY & SONS

ESTABLISHED 1864

AUCTIONEERS • VALUERS
ESTATE AND HOUSE AGENTSI Devonshire Place, Devonshire Road,
Bexhill-on-Sea

Telephone: Bexhill 14 Telegrams: John Bray, Bexhill

(ESTABLISHED 1899)

E. A. SHAW & PARTNERS

(C. M. SPAGNOLETTI, F.A.I.)

R. T. FITZSIMMONS, F.A.I.)

SURVEYORS AND VALUERS

19 & 20 Bow Street, Covent Garden, W.C.2

(Over Midland Bank)

Tel.: COVENT GARDEN 2255 (4 lines)

HAMPSHIRE

Established 1845

F. ELLEN & SON

DONALD LLOYD, F.R.I.C.S., F.A.I., CHARTERED SURVEYOR

JOHN BEAVAN, F.A.L.P.A.

J. H. ANDREWS, F.A.L.P.A., A.M.Inst.B.E.

SURVEYORS, AUCTIONEERS, VALUERS, LAND AND ESTATE

AGENTS, VALUATIONS FOR PROBATE AND ALL PURPOSES

PROPERTIES SURVEYED AND MANAGED

LONDON STREET, ANDOVER

TELEPHONE 3444 (2 lines)

(ESTABLISHED 1845)

HOTELS AND RESTAURANTS

HAMMERSLEY KENNEDY & CO.

19 Hanover Square, London, W.1

Telephone: MAYfair 6857

have, since 1899, specialised in the sale and valuation of hotels and catering businesses to the exclusion of any other branch of estate agency. The partners are members of the leading professional bodies.

London and Home Counties

SPECIALISTS FOR 100 YEARS

VALUATIONS, SALES,
PROPERTY MANAGEMENT

Salter, Rex & Co.

311 KENTISH TOWN ROAD, N.W.5

GULLiver 1085 (5 lines)

24/7 HIGH HOLBORN, W.C.1

Holborn 4819

